FAYETTEVILLE OBSERVER.

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[Concluded from 4th page.]

it is hoped that the enlightened gov't of the Empire will adopt this wise, just, and equal policy. In that event, there is good reason to believe that the commerce between the two countries will greatly increase, much to the advantage of both.

The claims of our citizens against the government of Brazil are not, in the aggregate, of very large amount; but some of these rest upon plain principles of justice, and their settlement ought not to be longer delayed. A renewed and earnest, and I trust a successful effort, will be made by the minister to procure their final adjustment.

On the 2d of June last, Congress passed a joint resolution authorizing the President "to adopt such measures and use such force as, in his judgment, may be necessary and advisable" "for the purpose of adjusting the differences between the U. S. and the republic of Paraguay, in connexion with the attack on the steamer Water Witch, and with other measures referred to" in his annual message. And on the 12th July following, they made an appropriation to defray the expenses and compensation of a commissioner to that republic, should the President deem it proper to make such an appointment.

In compliance with these enactments, I have appointed a commissioner, who has proceeded to Paraguay, with full powers and instructions to settle these differences in an amicable and peaceful manner, if this be practicable. His experience and discretion justify the hope, that he may prove successful in convincing the Paraguayan government, that it is due both to honor and justice, that they should voluntarily and promptly make atonement for the wrongs which they have committed against the United States, and indemnify our injured citizens whom they have forcibly despoiled of their property.

Should our commissioner prove unsuccessful, after a sincere and earnest effort, to accomplish the object of his mission, then no alternative will remain, but the employment of force to obtain "just satisfaction" from Paraguay. In view of this contingency, the Secretary of the Navy, under my direction, has fitted out and despatched a naval force, to rendezvous near Buenos Ayres, which it is believed, will prove sufficient for the occasion. It is my earnest desire, however, that it may not be found necessary to resort to this last alternative.

When Congress met in December last, the business of the country had just been crushed, by one of those periodical revulsions, which are the inevitable consequence of our unsound and extravagant system of bank credits and inflated currency. With all the elements of national wealth in abundance, our manufactures were suspended, our useful public and private enterprises were arrested, and thousands of laborers were deprived of employment and reduced to want. Universal distress prevailed among the commercial, manufacturing, and mechanical classes. This revulsion was felt the more severely in the United States, because similar causes had produced the like deplorable effects throughout the commercial nations of Europe. All were experiencing sad reverses at the same moment. Our manufactures everywhere suffered severely, not because of the recent reduction in the tariff of duties on imports, but because there was no demand at any price for their productions. The people were obliged to restrict themselves, in their purchases, to articles of prime necessity. In the general prostration of business, the iron manufacturers in different States probably suffered more than any other class, and much destitution was the inevitable consequence, among the great number of workmen who had been employed in this useful branch of our industry. There could be no supply where there was no demand. To present an example, there could be no demand for railroad iron, after our magnificent system of railroads, extending its benefits to every part of the Union, had been brought to a dead pause. The same consequences have resulted from similar causes to many other branches of useful manufactures. It is self-evident that where there is no ability to purchase manufactured articles, these cannot be sold, and consequently must cease to be produced.

No government, and especially a government of such limited powers as that of the United States, could have prevented the late revulsion. The whole commercial world seemed for years to have been rushing to this catastrophe. The same ruinous consequences would have followed in the United States, whether the duties upon foreign imports had remained as they were under the tariff of 1846, or had been raised to a much higher standard. The tariff of 1857, had no agency in the result. The general causes existing throughout the world could not have been controlled by the legislation of any particular country.

The periodical revulsions which have existed in our past history, must continue to return at intervals, so long as our present unbounded system of bank credits shall prevail. They will however probably be the less severe in future; because it is not to be expected, at least for many years to come that the commercial nations of Europe, with whose interests our own are so materially involved, will expose themselves to similar calamities. But this subject was treated so much at large in my last annual message that I shall not now pursue it any further. Still, I respectfully renew the recommendation, in favor of the passage of a uniform bankrupt law, applicable to banking institutions. This is all the direct power over the subject which I believe the federal government possesses. Such a law would mitigate, though it might not prevent the evil. The instinct of self-preservation might produce a wholesome restraint upon their banking business, if they knew in advance, that a suspension of specie payments would inevitably produce their civil death.

But the effects of the revulsion are now slowly but surely passing away. The energy and enterprise of our citizens, with our unbounded resources, will, within the period of another year, restore a state of wholesome industry and trade. Capital has again accumulated in our large cities. The rate of interest is there very low. Confidence is gradually reviving, and so soon as it is discovered that this capital can be profitably employed in commercial and manufacturing enterprises, and in the construction of railroads and other works of public and private improvement, prosperity will again smile throughout the land. It is vain, however, to disguise the fact from ourselves, that a speculative inflation of our currency, without a corresponding inflation in other countries whose manufactures come into competition with our own must ever produce disastrous results to our domestic manufactures. No tariff, short of absolute prohibition, can prevent these evil consequences.

In connexion with this subject, it is proper to refer to our financial condition. The same causes which have produced pecuniary distress throughout the country, have so reduced the amount of imports from foreign countries, that the revenue has proved inadequate to meet the necessary expenses of the government. To supply the deficiency, Congress, by the act of the 23d Dec 1857, authorized the issue of $20,000,000 of treasury notes; and, this proving inadequate, they authorized, by the act of June 14 1858 a loan of $20,000,000, "to be applied to the payment of appropriations made by law."

No statesman would advise that we should go on increasing the national debt to meet the ordinary expenses of the government. This would be a most ruinous policy. In case of war, our credit must be our chief resource, at least for the first year, and this would be greatly impaired by having contracted a large debt in time of peace. It is our true policy to increase our revenue so as to equal our expenditures. It would be ruinous to continue to borrow. Besides, it may be proper to observe, that the incidental protection, thus afforded by a revenue tariff, would, at the present moment, to some extent, increase the confidence of the manufacturing interests, and give a fresh impulse to our reviving business. To this, surely, no person will object.

In regard to the mode of assessing and collecting duties under a strictly revenue tariff, I have long entertained and often expressed the opinion, that sound policy requires this should be done by specific duties, in cases to which these can be properly applied. They are well adapted to commodities which are usually sold by weight or measure, and which, from their nature, are of equal or of nearly equal value. Such, for example, are the articles of iron of different classes, raw sugar, and foreign wines and spirits.

In my deliberate judgment, specific duties are the best, if not the only means of securing the revenue against false and fraudulent invoices, and such has been the practice adopted for this purpose by other commercial nations. Besides, specific duties would afford to the American manufacturer the incidental advantages to which he is fairly entitled under a revenue tariff. The present system is a sliding scale to his disadvantage. Under it, when prices are high and business prosperous, the duties rise in amount when he least requires their aid. On the contrary, when prices fall, and he is struggling against adversity, the duties are diminished in the same proportion, greatly to his injury.

Neither would there be danger that a higher rate of duty than that intended by Congress, could be levied in the form of specific duties. It would be easy to ascertain the average value of any imported article for a series of years; and, instead of subjecting it to an *ad valorem* duty at a certain rate per centum, to substitute in its place an equivalent specific duty.

By such an arrangement the consumer would not be injured. It is true, he might have to pay a little more duty on a given article in one year; but if so, he would pay a little less in another, and in a series of years these would counterbalance each other, and amount to the same thing, so far as his interest is concerned. This inconvenience would be trifling, when contrasted with the additional security thus afforded against frauds upon the revenue, in which every consumer is directly interested.

I have thrown out these suggestions as the fruit of my own observation, to which Congress, in their better judgment, will give such weight as they may justly deserve.

The report of the Secretary of the Treasury will explain in detail the operations of that department of the government. The receipts into the treasury from all sources during the fiscal year ending 30th June, 1858, including the treasury notes authorized by the act of December 23, 1857, were $70,273,869 59, which amount, with the balance of $17,710,114 27, remaining in the treasury at the commencement of the year, made an aggregate for the service of the year of $87,983,983 86.

The public expenditures during the fiscal year ending June 30, 1858, amounted to $81,585,667 76, of which $9,684,537 99 were applied to the payment of the public debt, and the redemption of treasury notes with the interest thereon, leaving in the treasury on July 1, 1858, being the commencement of the present fiscal year, $6,398,316 10.

The receipts into the treasury, during the first quarter of the present fiscal year, commencing the 1st July, 1858, including one-half of the loan of $20,000,000, with the premium upon it, authorized by the act of 14th June, 1858, were $25,230,879 46, and the estimated receipts for the remaining three-quarters to the 30th June, 1859, from ordinary sources, are $38,500,000, making, with the balance before stated, an aggregate of $70,129,195 56.

The expenditures, during the first quarter of the present fiscal year, were $21,708,198 51: of which $1,010,142 37 were applied to the payment of the public debt and the redemption of treasury notes and the interest thereon. The estimated expenditures, during the remaining three-quarters to 30th June, 1859, are $52,357,698 48, making an aggregate of $74,065,896 99, being an excess of expenditure, beyond the estimated receipts into the treasury from ordinary sources, during the fiscal year to the 30th June, 1859, of $3,936,701 43. Extraordinary means are placed by law within the command of the Secretary of the Treasury, by the reissue of treasury notes redeemed, and by negotiating the balance of the loan authorized by the act of 14th June, 1858, to the extent of $11,000,000, which, if realized during the present fiscal year, will leave a balance in the treasury, on the first day of July 1859, of $7,063,298 57.

The estimated receipts during the next fiscal year ending 30th June, 1860, are $62,000,000, which, with the above estimated balance of $7,063,298 57, make an aggregate for the service of the next fiscal year, of $69,063,298 57. The estimated expenditures during the next fiscal year ending 30th June, 1860, are $73,139,147 46, which leave a deficit of estimated means, compared with the estimated expenditures for that year, commencing on the 1st of July, 1859, of $4,075,848 89.

In addition to this sum, the Postmaster General will require from the treasury, for the service of the Post Office Department, $3,838,728, as explained in the report of the Secretary of the Treasury, which will increase the estimated deficit on the 30th June, 1860, to $7,914,576 89. To provide for the payment of this estimated deficiency, which will be increased by such appropriations as may be made by Congress, not estimated for in the report of the Treasury Department, as well as to provide for the gradual redemption, from year to year, of the outstanding treasury notes, the Secretary of the Treasury recommends such a revision of the present tariff as will raise the required amount. After what I have already said, I need scarcely add that I concur in the opinion expressed in his report—that the public debt should not be increased by an additional loan, and would therefore strongly urge upon Congress the duty of making at their present session, the necessary provision for meeting these liabilities.

The public debt on the 1st July, 1858, the commencement of the present fiscal year, was $25,155,977 66.

During the first quarter of the present year, the sum of $10,000,000 has been negotiated of the loan authorized by the act of 14th June, 1858—making the present outstanding debt, exclusive of treasury notes, $35,155,977 66. There was on the 1st July, 1858, of treasury notes issued by authority of the act of December 23, 1857, unredeemed, the sum of $19,754,800—making the amount of actual indebtedness, at that date, $54,910,777 66. To this will be added $10,000,000 during the present fiscal year—this being the remaining half of the loan of $20,000,000 not yet negotiated.

The rapid increase of the public debt, and the necessity which exists for a modification of the tariff, to meet even the ordinary expenses of the government, ought to admonish us all, in our respective spheres of duty, to the practice of rigid economy. The objects of expenditure should be limited in number, as far as this may be practicable, and the appropriations necessary to carry them into effect, ought to be disbursed under the strictest accountability. Enlightened economy does not consist in the refusal to appropriate money for constitutional purposes, essential to the defence, progress, and prosperity of the republic, but in taking care that none of this money shall be wasted by mismanagement, in its application to the objects designated by law.

Comparisons between the annual expenditure at the present time, and what it was ten or twenty years ago, are altogether fallacious. The rapid increase of our country in extent and population renders a corresponding increase of expenditure, to some extent, unavoidable. This is constantly creating new objects of expenditure, and augmenting the amount required for the old. The true questions then, are, have these objects been unnecessarily multiplied? or, has the amount expended upon any or all of them been larger than comports with due economy? In accordance with these principles, the heads of the different executive departments of the government have been instructed to reduce their estimates for the next fiscal year, to the lowest standard consistent with the efficiency of the service, and this duty they have performed in a spirit of just economy. The estimates of the Treasury, War, Navy, and Interior Departments, have each been in some degree reduced; and unless a sudden and unforeseen emergency should arise, it is not anticipated that a deficiency will exist in either within the present or the next fiscal year. The Post Office Department is placed in a peculiar position, different from the other departments, and to this I shall hereafter refer.

I invite Congress to institute a rigid scrutiny to ascertain whether the expenses in all the departments cannot be still further reduced; and I promise them all the aid in my power in pursuing the investigation.

I transmit herewith the reports made to me by the Secretaries of War, of the Navy, of the Interior, and of the Postmaster General. They each contain valuable information and important recommendations, to which I invite the attention of Congress.

In my last annual message, I took occasion to recommend the immediate construction of ten small steamers, of light draught, for the purpose of increasing the efficiency of the navy. Congress responded to the recommendation, by authorising the construction of eight of them. The progress which has been made in executing this authority is stated in the report of the Secretary of the Navy. I concur with him in the opinion, that a greater number of this class of vessels is necessary for the purpose of protecting in a more efficient manner the persons and property of American citizens on the high seas, and in foreign countries, as well as in guarding more effectually our own coasts. I accordingly recommend the passage of an act for this purpose.

The suggestions contained in the report of the Secretary of the Interior, especially those in regard to the disposition of the public domain, the pension and bounty-land system, the policy towards the Indians, and the amendment of our patent laws, are worthy of the serious consideration of Congress.

The Post Office Department occupies a position very different from that of the other departments. For many years it was the policy of the government to render this a self-sustaining department; and if this cannot now be accomplished, in the present condition of the country, we ought to make as near an approach to it as may be practicable.

The Postmaster General is placed in a most embarrassing position by the existing laws. He is obliged to carry these into effect. He has no other alternative. He finds, however, that this cannot be done without heavy demands upon the treasury over and above what is received for postage; and these have been progressively increasing from year to year until they amounted for the last fiscal year ending on the 30th June, 1858, to more than four millions and a half of dollars; whilst it is estimated that for the present fiscal year they will amount to $6,290,000. These sums are exclusive of the annual appropriation of $700,000 for "compensation for the mail service performed for the two houses of Congress and the other departments and officers of the government in the transportation of free matter."

The cause of these large deficits is mainly attributable to the increased expense of transporting the mails. In 1852 the sum paid for this service was but a fraction above four millions and a quarter. Since that year it has annually increased until in 1858 it has reached more than eight millions and a quarter; and for the service of 1859, it is estimated that it will amount to more than ten millions of dollars.

The receipts of the Post Office Department can be made to approach or to equal its expenditure, only by means of the legislation of Congress. In applying any remedy, care should be taken that the people shall not be deprived of the advantages, which they are fairly entitled to enjoy from the Post Office Department. The principal remedies recommended to the consideration of Congress by the Postmaster General, are to restore the former rate of postage upon single letters to five cents; to substitute for the franking privilege the delivery to those now entitled to enjoy it, of post office stamps for their correspondence, and to direct the department, in making contracts for the transportation of the mail, to confine itself to the payment of the sum necessary for this single purpose, without requiring it to be transported in post coaches or carriages of any particular description. Under the present system, the expense to the government is greatly increased, by requiring that the mail shall be carried in such vehicles as will accommodate passengers. This will be done without pay from the department, over all roads where the travel will remunerate the contractors.

These recommendations deserve the grave consideration of Congress.

I would again call your attention to the construction of a Pacific railroad. Time and reflection have but served to confirm me in the truth and justice of the observations which I made, on this subject, in my last annual message, to which I beg leave respectfully to refer.

It is freely admitted, that it would be inexpedient for this government to exercise the power of constructing the Pacific railroad by its own immediate agents. Such a policy would increase the patronage of the executive to a dangerous extent, and introduce a system of jobbing and corruption, which no vigilance on the part of federal officials, could either prevent or detect. This can only be done by the keen eye, and active and careful supervision, of individual and private interest. The construction of this road ought, therefore, to be committed to companies incorporated by the States, or other agencies whose pecuniary interests would be directly involved. Congress might then assist them in the work by grants of land or of money, or both, under such conditions and restrictions as would secure the transportation of troops and munitions of war free from any charge, and that of the United States mail at a fair and reasonable price.

The progress of events since the commencement of your last session, has shown how soon difficulties disappear before a firm and determined resolution. At that time, such a road was deemed by wise and patriotic men, to be a visionary project. The great distance to be overcome, and the intervening mountains and deserts in the way were obstacles which, in the opinion of many, could not be surmounted. Now, after the lapse of but a single year, these obstacles, it has been discovered, are far less formidable than they were supposed to be; and mail stages, with passengers, now pass and repass regularly twice a week, by a common wagon-road between San Francisco and St. Louis and Memphis, in less than twenty-five days. The service has been as regularly performed, as it was, in former years, between New York and this city.

Whilst disclaiming all authority to appropriate money for the construction of this road, except that derived from the war-making power of the constitution, there are important collateral considerations urging us to undertake the work as speedily as possible.

The first and most momentous of these is, that such a road would be a powerful bond of union between the States east and west of the Rocky mountains. This is so self-evident as to require no illustration.

But again, in a commercial point of view, I consider this the great question of the day. With the eastern front of our republic stretching along the Atlantic, and its western front along the Pacific, if all the parts should be united by a safe, easy, and rapid intercommunication, we must necessarily command a very large proportion of the trade both of Europe and Asia. Our recent treaties with China and Japan will open these rich and populous empires to our commerce; and the history of the world proves, that the nation which has gained possession of the trade with Eastern Asia, has always become wealthy and powerful. The peculiar geographical position of California and our Pacific possessions, invites American capital and enterprise into this fruitful field. To reap the rich harvest, however, it is an indispensable prerequisite, that we shall first have a railroad, to convey and circulate its products throughout every portion of the Union. Besides, such a railroad through our temperate latitude, which would not be impeded by the frosts and snows of winter, nor by the tropical heats of summer, would attract to itself much of the travel and the trade of all nations passing between Europe and Asia.

On the 21st of August last, Lieut. J. N. Maffit, of the U. S. brig Dolphin, captured the slaver Echo, (formerly the Putnam of New Orleans,) near Key Verde, on the coast of Cuba, with more than 300 African negroes on board. The prize, under the command of Lieut. Bradford of the U. S. Navy, arrived at Charleston on the 27th August; when the negroes, 306 in number, were delivered into the custody of the U. S. Marshal for the district of South Carolina. They were first placed in Castle Pinckney, and afterwards in Fort Sumter, for safe keeping, and were detained there until the 19th Sept., when the survivors, 271 in number, were delivered on board the U. S. steamer Niagara, to be transported to the coast of Africa, under the charge of the agent of the U. S., pursuant to the provisions of the act of 3d March 1819, "in addition to the acts prohibiting the slave trade." Under the 2d section of this act, the President "is authorised to make such regulations and arrangements as he may deem expedient, for the safe-keeping, support, and removal beyond the limits of the U. S., of all such negroes, mulattoes, or persons of color" captured by the vessels of the U. S., as may be delivered to the marshal of the district into which they are brought; "and to appoint a proper person or persons residing upon the coast of Africa, as agent or agents for receiving the negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave trade by commanders of the U. S. armed vessels."

A doubt immediately arose as to the true construction of this act. It is quite clear from its terms that the President was authorised to provide "for the safe-keeping, support and removal" of these negroes up till the time of their delivery to the agent on the coast of Africa; but no express provision was made for their protection and support after they had reached the place of their destination. Still, an agent was to be appointed to receive them in Africa; and it could not have been supposed that Congress intended he should desert them at the moment they were received, and turn them loose on that inhospitable coast to perish for want of food, or to become again the victims of the slave trade. Had this been the intention of Congress, the employment of an agent to receive them, who is required to reside on the coast, was unnecessary, and they might have been landed by our vessels anywhere in Africa, and left exposed to the suffering and the fate which would certainly await them.

Mr. Monroe, in his special message of 17th Dec'r, 1819, at the first session after the act was passed, announced to Congress what, in his opinion, was its true construction. He believed it to be his duty under it, to follow these unfortunates into Africa, and make provision for them there, until they should be able to provide for themselves. In communicating this interpretation of the act to Congress, he stated that some doubt had been entertained as to its true intent and meaning, and he submitted the question to them, so that they might, "should it be deemed advisable, amend the same before further proceedings are had under it." Nothing was done by Congress to explain the act, and Mr. Monroe proceeded to carry it into execution according to his own interpretation. This, then, became the practical construction. When the Africans from on board the Echo were delivered to the marshal at Charleston, it became my duty to consider what disposition ought to be made of them under the law. For many reasons, it was expedient to remove them from that locality as speedily as possible. Although the conduct of the authorities and citizens of Charleston, in giving countenance to the execution of the law, was just what might have been expected from their high character, yet a prolonged continuance of three hundred Africans in the immediate vicinity of that city, could not have failed to become a source of inconvenience and anxiety to its inhabitants. Where to send them, was the question. There was no portion of the coast of Africa, to which they could be removed with any regard to humanity, except to Liberia. Under these circumstances, an agreement was entered into with the Colonization Society on the 7th of Sept. last, a copy of which is herewith transmitted, under which the Society engaged, for the consideration of forty-five thousand dollars, to receive these Africans in Liberia from the agent of the U. S., and furnish them during the period of one year thereafter, with comfortable shelter, clothing, provisions, and medical attendance, causing the children to receive schooling; and all, whether children or adults, to be instructed in the arts of civilized life, suitable to their condition. This aggregate of forty-five thousand dollars was based upon an allowance of one hundred and fifty dollars for each individual, and as there has been considerable mortality among them, and may be more before they reach Africa, the society have agreed, in an equitable spirit, to make such a deduction from the amount, as under the circumstances may appear just and reasonable. This cannot be fixed until we shall ascertain the actual number which may become a charge to the society.

It was also distinctly agreed, that, under no circumstances, shall this government be called upon for any additional expenses.

The agents of the society manifested a laudable desire to conform to the wishes of the government, throughout the transaction. They assured me that, after a careful calculation, they would be required to expend the sum of $150 on each individual in complying with the agreement, and they would have nothing left to remunerate them for their care, trouble, and responsibility. At all events, I could make no better arrangement, and there was no other alternative. During the period when the gov't itself, through its own agents, undertook the task of providing for captured negroes in Africa, the cost per head was very much greater.

There having been no outstanding appropriation applicable to this purpose, I could not advance any money on the agreement. I therefore recommend that an appropriation be made, of the amount necessary to carry it into effect.

Other captures of a similar character may, and probably will, be made by our naval forces; and I earnestly recommend, that Congress may amend the second section of the act of March 3, 1819, so as to free its construction from the ambiguity which has so long existed, and render the duty of the President plain in executing its provisions.

I recommend to your favorable regard the local interests of the District of Columbia. As the residence of Congress and the executive departments of the government, we cannot fail to feel a deep concern in its welfare. This is heightened by the high character and the peaceful and orderly conduct of its resident inhabitants.

I cannot conclude without performing the agreeable duty of expressing my gratification, that Congress so kindly responded to the recommendation of my last annual message, by affording me sufficient time before the close of their late session, for the examination of all the bills presented to me for approval. This change in the practice of Congress has proved to be a wholesome reform. It exerted a beneficial influence on the transaction of legislative business, and elicited the general approbation of the country. It enabled Congress to adjourn with that dignity and deliberation so becoming to the representatives of this great republic, without having crowded into general appropriation bills provisions foreign to their nature, and of doubtful constitutionality and expediency. Let me warmly and strongly commend this precedent, established by themselves, as a guide to their proceedings during the present session.

JAMES BUCHANAN.

Washington City, Dec. 6, 1858.

ROCKINGHAM
Male and Female Academies.

DANIEL McINTYRE AND LADY, Principals.
Miss L. F. McLEAN, Assistant in Musical Department.

THE scholastic year of these Schools opened Oct'r 18th. The second quarter will commence on the first Monday in January, 1859.

For particulars address the Principal, or Dr. C. C. Covington, Sec'y of the Board of Trustees.

Nov'r 29, 1858. 69-*2m

BUFFALO ACADEMY.

T. W. COLE, PRINCIPAL.

THE exercises of this Institute will open on the first Monday of January next.

This institution is located in Moore county, N. C., in a healthy, moral and intelligent vicinity, ten miles south of Egypt and about fifteen north-east of Carthage.

Pupils will be admitted at any time during the session and charged from the time of entrance.

Terms, per session of five months,—

Primary English,	$ 7 50
Intermediate,	10 to 12 50
Latin, Greek and higher Mathematics,	15 00

Board, including washing and lights, $7 per month.

For further particulars address the Principal at Buffalo P. O.

Dec'r 3. 69*4t

HATS.

IF you want a superfine fashionable Hat, call at *D. GEE'S HAT STORE, Green St.*

Just received—
Best quality Fash. MOLESKIN;
Latest style Fash. CASSIMERE;
Do. Flat-Brim Do.
CADLE HAT, new style;
On hand, a good supply of my own manufacture of SILK, FUR AND WOOL HATS,
which I offer for sale on the most reasonable terms.

DAVID GEE.

Nov'r 24. 67*3t

Cape Fear Plantation for Sale.

THE Plantation on the East side of Cape Fear River, about two miles above the Clarendon Bridge, containing 350 ACRES, owned by Wm. L. Hall of Brunswick. Persons desirous of purchasing may apply to WM. H. HAIGH or BENJ. R. HUSKE, Attorneys at Fayetteville, or to JAMES M. SMITH, Esq.

Nov. 27, 1858. 67-9tpd*tf

A Rare Chance for Capitalists.—Valuable Coal and Farming Lands for Sale.

THE undersigned, Executors of the last will and testament of George Wilcox, dec'd, offer for sale that tract or parcel of land on Deep River, known as the WILCOX COAL LANDS. Said tract of land contains five hundred and twenty-five acres, and is very valuable for farming purposes. Coal and Iron of the best quality have been found on said land in different places.

Said Land may be purchased at private sale, by applying to the subscribers at Pittsborough, N. C., at any time between this and the 18th day of December next, at which time, if not disposed of sooner, it will be sold to the highest bidder, at the Court House door in Carthage, Moore county, between the hours of 1 and 4 o'clock, P. M.

Terms of sale:—one half of the purchase money to be paid at the time of sale, and ample time given for the other half, with bond and approved security, more fully specified on the day of sale.

W. A. NASH, } Ex'rs.
G. WILCOX, }

Nov'r 29. 67*3tpd

NOTICE.

THERE is now in the hands of Oliver and Larkin Vestal, Ex'rs of David Vestal, dec'd, Twenty Dollars, due as a legacy under the will of said David Vestal to Jerry T. Vestal, who is not a resident of this State. He is hereby notified to come forward and receive the same. Address the undersigned at Mudlick, Chatham county, N. C.

OLIVER VESTAL, } Ex'rs.
LARKIN VESTAL, }

Nov'r 9, 1858. 69*6tpd

NOTICE.

THE subscriber offers for sale, to the highest bidder, on Thursday the 16th inst., at Floral College, ONE HUNDRED and NINETY ACRES of excellent LAND, Seventy-five Acres of which are cleared and in a high state of cultivation. This land is located in the County of Robeson, adjoining the lands of Capt. John Walker and Arch'd Smith, and within 1¾ miles of Floral College. Terms made known at sale.

P. McEACHIN.

Dec. 3, 1858. 69*3t-pd

NEGROES FOR SALE.

THE subscriber offers a lot of eight or ten likely young Negroes, composed of

Boys, Women and Children.

If not disposed of privately before the 6th day of January next, they will on that day be put up to the highest bidder, at the residence of the subscriber.

D. McPHATTER.

Nov'r 20, 1858. 69*3t

N. B.—For further particulars address either the subscriber or D. Johnson, at Montpelier, Richmond county, N. C.

$200 REWARD.

RANAWAY from the subscriber in Robeson county, on or about the 20th of July, 1858, my Negro Boy PETER. He is about 25 years old, weighing about 200 pounds; say 5 feet 11 inches high, quick spoken, dark complexion, and limps a little in one of his legs, perhaps the right. I will give $100 for his safe confinement in any jail in North Carolina, or his delivery to me in Robeson county; and a reward of $100 more for sufficient evidence that will convict any person or persons who may be harboring said slave or assisting him, either directly or indirectly, to make his escape to some free State. He is supposed to be lurking in Robeson and Bladen counties.

ARCHIBALD PURCELL.

Robeson Co., Sept. 28, 1858. 5t*tf

HILLSBOROUGH
Military Academy.

ON JANUARY 12th, 1859, the Institution abovenamed, will be opened at Hillsborough, N. C., to be conducted in chief by Captain C. C. TEW, now Superintendent of the State Military Academy at Columbia, South Carolina, and Mr. W. D. GAILLARD, a graduate of the South Carolina Military Academy, and an instructor of approved experience. The drill, discipline, and course of studies, will assimilate as nearly as practicable to those of the Virginia and South Carolina State Military Institutions. The studies of the first two years, or preparatory course, will be, Arithmetic, Algebra, English Grammar, History of the United States, History of England, Ancient History, Mythology, Geography, French and Latin. The details of the advanced course will be announced hereafter.

The Academic year will continue uninterruptedly from January 12th to the 4th week in November.

The charge will be $300 per annum, payable as follows: $100 at the commencement of the Academic year; $100 on May 1st, and $100 on August 1st, for which the Academy will provide Instruction, Text Books, Stationery, Quarters, Board, Fuel, Lights, Washing, Clothing (except shirts, drawers and socks,) and Medical attendance.

No pupil will be admitted under 13 or over 18 years of age, or who cannot read and write with facility.

☞ For further information address the undersigned, at Columbia, S. C., until January 1st; after that date at Hillsborough, N. C.

C. C. TEW.

Sept 28. 55-*12t

J. C. STEDMAN and J. W. HORNE,
Under the Name and Style of
STEDMAN & HORNE, JUN'R,
Have associated themselves together in a general
Grocery, Provision, Liquor and Barter Business,

And are now receiving a well selected Stock of Goods in their line, which they are willing to exchange for money or produce.

Their stock consists in part of the following articles:
Brown, Crushed and Loaf Sugar;
Rio, Laguira and Java Coffee;
Butter, Cheese, and Crackers;
Lard, Pork, and Western Bacon;
No. 1 Mackerel, in Bbls., Hfs. and Kits;
Tobacco, Snuff, and Cigars;
Foreign and Domestic Wines and Liquors.

Next door to D. & W. McLaurin, } 64*3m
Hay St., Fayetteville, Nov. 18. }

NOTICE.
Likely Young Negroes Wanted.

MEN, BOYS, WOMEN AND GIRLS.

ANY persons having such Negroes for sale, will do well to give me a call before selling elsewhere, as I am determined to pay the highest cash prices. I may be seen or addressed at Warrensville, Sampson county, N. C.

D. L. BROCK.

Nov. 19. 65*2mpd

LAND FOR SALE.

THE subscriber offers for sale TWO HUNDRED ACRES of LAND, lying in the county of Robeson, on the East side of Long Swamp, adjoining the Lands of A. Leach and others. This land is well adapted to Corn, Cotton, Wheat and Oats—very little cleared—and well Timbered and is near the Wilmington & Charlotte Railroad; those wishing to purchase said land by calling on Mr. McCormick who lives on the premises will take pleasure to exhibit it or give any information if desired; a bargain may be had if applied soon. Terms moderate—for further particulars address the subscriber, Gibson's Store, Richmond County, N. C.

A. S. McNEILL.

Nov. 5, 1858. 61*6t-p't-pd.

$20 REWARD.

RANAWAY from the subscriber, on the 16th ult., his Negro Man CADE or CADER, about 45 years of age, dark though not black complected, about five feet nine or ten inches high, thin visage. He had a variety of clothing and may change dress. He was raised in Wayne County, and runaway once from his former master to Wayne, but for the last twenty years was in this neighborhood. He may have gone to South Carolina, where his former master lives. He is strong and bony. I will give the above reward for his apprehension and confinement in any jail so as to get him again.

DUNCAN McLAURIN.
Springfield, P. O., Richmond Co., N. C.

Dec. 3, 1858. 69*3t

LOST OR MISLAID.

A NEGOTIABLE NOTE for $400, drawn by Thos. B. Cowan, payable to the subscriber. The public are cautioned against trading for or using the said Note in any way whatever.

DUNCAN SHAW.

Dec'r 3, 1858. 69*3t

RICHARDSON'S
IRISH LINENS,
DAMASKS, DIAPERS, &c.

CONSUMERS of Richardson's Linens, and those desirous of obtaining the genuine goods, should see that the articles they purchase are sealed with the full name of the firm, RICHARDSON, SONS & OWDEN, as a guarantee of the soundness and durability of the goods.

This caution is rendered essentially necessary as large quantities of inferior and defective Linens are prepared, season after season, and sealed with the name of RICHARDSON, by Irish Houses, who, regardless of the injury thus inflicted alike on the American consumer and the manufacturers of the genuine goods, will not readily abandon a business so profitable, while purchasers can be imposed on with goods of a worthless character.

J. BULLOCKE & J. B. LOCKE,
Agents, 36 Church St., New York.

Sept'r 24. 49*1ypd6mos

NOTICE.

BY virtue of a Decree of the Court of Pleas and Quarter Sessions for the County of Moore, the undersigned, as administrator of Cornelius Shields, dec'd, will sell at the Court House door in the Town of Carthage, on the 1st day of January, 1859, and on a credit of six months,

Ten Likely Negroes,

consisting of Men, Women and Children. Bond, with approved security required of purchasers.

JOHN C. JACKSON, Adm'r.

Nov'r 3. 69-*3t

STATE OF NORTH CAROLINA,
MONTGOMERY COUNTY.

Court of Pleas and Quarter Sessions, Oct. Term, 1858.

Roderick McKinnon Adm'r, vs. Charles McKinnon et. al.

Petition to make Real Estate assets.

ON motion, It is ordered by the Court that publication be made in the Fayetteville Observer for six weeks successively for Lauchlin McKinnon, a non resident, to be and appear at the next Term of Montgomery County Court, to be held at Troy, on the first Monday in January 1859, and plead, answer or demur, or the Petition will be taken pro confesso and heard ex parte as to him.

Witness, John McLennan, Clerk of our said Court, at office the first Monday in October, A. D., 1858, this 12th November, A. D., 1858.

JOHN McLENNAN, Clerk.

63*6t]

NOTICE.

TAKEN up and committed to Jail of Moore County, North Carolina, a Negro Man who says his name is HUGH; says he belongs to Daniel Shaw of Robeson County, North Carolina. Hugh is about 20 years of age, 5 feet 10 inches high, had on when committed to jail a dark frock coat and gray cotton pants. The owner of said boy is notified to come forward and prove property, pay charges and take him away, or he will be dealt with as the law directs.

W. K. NUNNERY, Jailor.

Nov. 11, 1858. 65*4t

GENERAL ASSEMBLY OF N. CAROLINA.

We condense from the Standard some items not embraced in our own reports:

In the Senate, on Saturday, Dec. 4th, a message from the House proposing to raise a joint select committee to examine and report on the works of the Cape Fear and Deep River Navigation Company, and to consider the expediency of completing the works in a permanent manner, was tabled after some debate. Mr. Ashe of New Hanover, speaking in favor of the proposal, said that information was needed on this subject, and ought to be obtained. It was impossible to act till we had reliable information by members of our own body. The State was largely interested; and heavy executions were now hanging over the works, which would cause them to be sold in a few days, without something was done to avert it. These executions amounted to some $30,000 to $40,000.

On Monday, Mr. Bledsoe offered resolutions declaring "that the government of North Carolina was established for the equal protection of all the citizens and all the property within the limits of the State." "That all should equally contribute to the support of the government, in proportion to the protection enjoyed." "That it is unwise, unjust and inexpedient to discriminate in favor of, or against any particular species of property in collecting revenue." That any system of revenue imposing upon any class of citizens or property more than their equitable share of the burdens of government, is inconsistent with that principle of *democratic republican equality* upon which the government was established, and without which it cannot exist." And instructing the Finance Committee to report a revenue bill upon these principles.

Mr. Bledsoe said that his object was to *instruct* the Committee to report a revenue bill based upon the *ad valorem* principle. The present revenue bill was wrong in principle, unjust in its operation, and he (Mr. B.) now gave notice of his intention to attack it at every assailable point when presented to the Senate. He desired a radical reform in the principle of taxation—to subject all species of property to the common burden, and to equalize those burdens in a fair and just proportion. The present revenue bill was the result of the arbitary will of a majority of the committee of finance. All knew the deference paid to reports of committees—that injudicious legislation was the frequent result of too much confidence in their judgment. The revenue bills had never been founded on any regular principle. He (Mr. B.) was a member of the finance committee two years ago, and the principle they acted upon then was to take the old revenue bill and add 25 per cent. to it just as it stood, without regard to principle. The *ad valorem* principle was a definite one, and would reduce and simplify the labors of the committee.

Mr. Steele had no objection to the principle, and would like to see it carried out, if practicable. But the committee on finance, who might be supposed to have a full appreciation of their obligation to the Legislature and the State, had given the matter a full and fair consideration and had reported against the *ad valorem* principle. If you now *instruct* them to introduce a bill, the principles of which their judgment had rejected, you would attempt the destruction of their functions as a committee—in fact you had better discharge them and appoint another committee favorable to the views of the Senator from Wake. In reply to the assertion of Mr. Bledsoe, that the present revenue bill was the result of the arbitrary will of a majority of the committee on finance, Mr. Steele stated that it would have been better for the State if the revenue laws had been at the absolute dictum of that committee. Confusion had grown out of inconsiderate amendments to the committees' bills.

A running conversation between a number of senators was ended by a vote to strike out the instructing resolutions, as follows:

For striking out.—Messrs. Basnight, Battle, Blount, Carmichael, Cowper, Dobson, Douthitt, Edney, Flanner, Gorrell, Guyther, Lane, Lankford, Leach, Martin, McDonald, Mills, Pool, Ramsay, Reinhardt, Speight, Steele, Whitaker, and Williams—24.

Against striking out.—Messrs. Bledsoe, Boyd, Brown, Cherry, Cunningham, Davidson, Davis, Dillard, Houston, McDowell, McKoy, Miller, Walkup, Ward and Worth—15.

The question recurring on the resolutions as amended, they were rejected:—

For the resolutions.—Messrs. Bledsoe, Blount, Carmichael, Cherry, Davis, Dillard, Dobson, Douthitt, Flanner, Gorrell, Leach, McDonald, Miller, Ramsay, Steele, Walkup, Ward and Worth—18.

Against the resolutions.—Messrs. Basnight, Battle, Boyd, Brown, Cowper, Cunningham, Davidson, Edney, Guyther, Houston, Lane, Lankford, Martin, McDowell, McKoy, Mills, Pool, Reinhardt, Speight, Whitaker and Williams.—21.

Mr. Thomas offered a resolution instructing our Senators and Representatives in Congress to use their best efforts to procure the passage of an act of Congress releasing the States from all federal claims under the deposit act of 1836. Laid over for the present.

On Tuesday, Mr. Houston, from the committee on the judiciary, reported against the passage of the bill proposing to abolish the Geological Survey of the State.

Mr. Carmichael, from the same committee, against the proposition to add to the number of judges on the Supreme Court beach, and asked to be discharged from its further consideration. Concurred in.

The resolution requiring the Legislature to provide means for the payment of its appropriations, was rejected.

The bill to incorporate the N. C. Central Atlantic and Pacific Railroad passed 2d reading. No State aid.

The bill authorizing magistrates to keep records of their official acts, and providing for their payment with fees was now taken up.

Mr. Walkup supported the bill. He was of the opinion that magistrates should be paid for their arduous labors. It was the case in almost all other States. And he thought they should be required to conduct their business systematically by keeping a record of their proceedings.

The bill was rejected.

THE COAL FIELDS ROAD.

The Bill to aid this road, being on its 2d reading, Mr. Douthitt of Davidson demanded the ayes and noes.

Mr. Houston of Duplin, after giving a historical sketch of the efforts made to develope the Deep River region, remarked upon the simple and moderate demand now made upon the Legislature. The people of the section of the country through which the road passes, had done all in their power before they asked for aid. They had in the most praiseworthy manner endeavored to help themselves, and he thought the State should now help them. They did not ask for money, but merely that the State should exchange bonds with them to the amount of $600,000—the bonds to be safely secured. Mr. Houston called upon the Legislature to give equal and even-handed justice to Fayetteville—not to allow the wealth of the Deep River region longer to slumber. He alluded to the efforts made and the services rendered to all other portions of the State by the gallant sons of that region—particularly by the lamented James C. Dobbin, who had expended his energies and powers in his efforts for the North Carolina Railroad. That gallant spirit believed he was advocating the good of the State, whilst, at the same time, he knew he was striking a blow at his own Fayetteville. Mr. Houston then alluded to the manner in which Fayetteville bore herself then and since—seeing her trade diverted, her property destroyed. He also dwelt upon the sums expended on other works throughout the State; to the application for more aid when the original appropriations were expended; and to the indignation with which the opponents of those additional sums were assailed, so late as two years ago. Now an application was made in behalf of a work but forty miles long, twelve of which were completed and eight nearly so—a road which has never received anything at the hands of the Legislature but opposition. He again appealed to the Senate to deal out even-handed justice. The prospects of this work were bright—the resources of the Deep River region inexhaustible. A national foundry would in all probability be established there. If it should fail, all the hopes for the speedy development of those vast resources—of the general welfare of the old State—would at once be blasted; all our efforts for advancement would prove abortive; all our expenditures in the geological survey of the State would have been thrown away—all, all, would be set at naught.

Mr. Straughn of Chatham and Maj. Gilmore followed in brief speeches in favor of the bill. Mr. Gilmore appealing to the friends of improvement in all sections of the State to remember the services of the Cape Fear men in days gone by, when it was unpopular to support works of internal improvement. His county had never asked for much—this relief was perhaps the last she would ever ask for.

Mr. Cherry had always been in favor of developing the resources of the State. Was it important enough, this Deep River work, to induce the Senate to go for the bill? He did not know, but if one-tenth of what was stated were true, he thought the subject would be worthy of consideration. It appeared water communication had failed from some cause or other to develop these resources. Now it is proposed to reach them by railroad. Are we sure that the importance of the proposed work will justify us in involving the State in a farther debt of $600,000?—for. it was no use of concealing it, to that complexion must it come at last. Well, he believed in the reality of the wealth of the Deep River region, and was willing to get there to develop it; and with this view he would go for the bill.

The bill was then rejected as follows:

For the Bill.—Messrs. Ashe, Cherry, Davidson, Davis, Gilmore, Gorrell, Houston, McDonald, McDowell, McKoy, Steele, Straughn, Thomas, Walkup and Worth—15.

Against the Bill.—Messrs. Basnight, Battle, Bledsoe, Blount, Brown, Carmichael, Cowper, Cunningham, Dillard, Dobson, Douthitt, Edney, Flanner, Guyther, Humphrey, Lane, Lankford, Leach, Martin, Miller, Mills, Pool, Ramsay, Reinhardt, Speight, Taylor, Turner, Ward, Whitaker, and Williams—30.

On Wednesday, Mr. Edney, from the committee on internal improvements, reported against the passage of the bill to amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company.

Mr. Edney afterwards moved that the bill be taken off the file for the purpose of being re-committed. He made the motion at the instance of the friends of the bill, who desired to amend it. Agreed to.

Mr. Turner offered a series of resolutions touching the death of the lamented Chief-Justice Nash, and accompanied them with a fitting tribute to the memory of that worthy man. He was followed by Senators Brown and Edney, and then the Senate adjourned.

In the Commons, on Saturday, Mr. Drake, offered a resolution that the committee on the judiciary be and are hereby required and instructed to inquire into the propriety of so amending the constitution of the State, as to require the members of the Senate and House of Commons, as well as all civil and military officers of the State, to be 21 years of age at the time of their election.

On Monday, Mr. Purdie's bill to remedy the omission of any law to punish Superior and County Court Clerks, Sheriffs, &c., for refusing to do their duty, by removal from office, passed its second reading. (Since passed 3d.)

On Tuesday, a number of bills of no general importance introduced. The bill asking an extension of 10 years on the Wilmington & Weldon R. R. bonds was postponed to Tuesday next.

Mr. Haywood, of Wake, spoke at great length, and we hear with great ability, in defence of his right to hold his seat, and retain his office as Clerk and Master in Equity. The report of his remarks is so meagre that we omit it, except what is stated to be the basis of his argument, viz: "that when the constitution of 1776 was formed, in which the framers put the restriction upon Clerks of a Court of Record, the office of Clerk and Master in Equity was not in existence, as it was not established until 1782. After arguing at much length upon the point, he then stated that a Clerk and Master was not a Clerk of a Record Court, and quoted a number of authorities, that a Court of Chancery or Equity is not a Court of Record in this country. Mr. Haywood made a very ingenious argument upon the above grounds until the hour of adjournment, when the debate was suspended."

On Wednesday, Mr. Ferebee reported a resolution authorising the Governor to distribute *five copies* of Emmons's report to various public libraries in New York, Boston, Paris, London, &c.

Mr. Ward offered a resolution that the Committee on Internal Improvement be instructed to enquire into the practicability and expediency of consolidating the Central, Western, and Atlantic and N. C. Railroad Companies into one Company.

Mr. Fleming, a bill to establish the Bank of Salisbury.

Mr. Haywood resumed his speech and commented on the clause in the amended constitution. He maintained that the Clerk and Master in Equity was not an officer under the State of North Carolina, and spoke more than an hour in support of his position.

Mr. Benbury replied, but, without concluding, gave way to Mr. Norwood, who offered resolutions of respect to the memory of the late Judge Nash.

Mr. Morehead seconded the resolution, and passed a high eulogium on the urbanity and dignity of the deceased, whom he declared was an independent judge and a courteous gentleman. He had the honor of placing him on the Supreme Bench, and concluded by pronouncing him "an upright judge, an honest man, and a sincere christian—what more could he say of him?"

Mr. Kerr followed in what is said to have been an exceedingly beautiful tribute to the memory of his dear friend, to whose counsel and assistance and encouragement he owed all his success in life.

A Characteristic Mexican Battle.—There is an announcement in the New Orleans papers that Tobasco had fallen into the hands of the Liberals, "after *fighting for seventeen days*, with *seventeen* men killed on *both sides*."

From the Hillsborough Recorder.

DEATH OF JUDGE NASH.

Died, at his residence in this town, on Saturday the 4th instant, the Honorable FREDERICK NASH, Chief Justice of the Supreme Court of North Carolina, in the 78th year of his age.

The conspicuous official position of this gentleman, and the large space he so long occupied in the public estimation and confidence, no less than the virtues which endeared him to this community, of which he was almost the oldest citizen, demand of us some fitting notice of his life and character. Descended from a family which was early established in the province of North Carolina, and which numbered among its members distinguished writers, speakers, and soldiers in the cause of the Revolution, educated in the light of their fame and example himself—not unfrequently a member of the Legislature of the State, at intervals for a period of five and twenty years, an associate and rival of her ablest lawyers, a reviser of her statutes, a dispenser of justice on the Circuit, and Supreme Court Bench, in all for near the third of a century, and always with favor and approbation, there is much in his history which belongs to his country.

His father, Abner Nash, Esq., of Newbern, a lawyer by profession, was one of the most effective leaders of the Revolutionary movement in North Carolina, succeeded Caswell as the second Republican Governor, in 1780, and died a member of the Continental Congress from North Carolina at Philadelphia in 1784 or 5. An uncle of the deceased, Francis Nash, of Hillsborough, a Brigadier General in the Continental line, who received his death wound in the battle of Germantown, Pennsylvania, under the immediate command of Washington, is well known as one of the martyrs of the State in the great cause of National Independence.

Frederick Nash, on whom the grave has recently closed, was born at Pembroke, near Newbern, in the year 1781, was graduated at Nassau Hall, Princeton, early in the present century, pursued his legal studies under the supervision of his brother-in-law, the late Judge Harris, of Newbern, and was admitted to the bar in Craven county, about the year 1804, when Benjamin Woods, Edward Harris, Francis Xavier Martin, and younger than these, John Stanly and William Gaston, illustrated the profession in that riding. He was early recognized as a worthy compeer of these eminent men, received employment in his profession, and in the years 1804 and 5, represented the town of Newbern in the General Assembly.

The climate of the low country being more insalubrious then than now, he was induced by his care for a rising family, in 1806, to transfer his residence to Hillsborough, which has ever since been his home. In the years 1814, 15, 16 and 17, and again in 1828 and 29, he was a member of the House of Commons from the county of Orange, or town of Hillsborough; and in the deliberations of the Legislature bore a leading and influential part, characterized always by conservative principles, enlightened labors, and effective and ready eloquence. One of his speeches in this body, on a bill to suppress the practice of dueling, introduced by himself, was deemed, by the late Chief Justice Taylor, of such high merit as to be worthy of preservation in his "Carolina Law Repository,' where it was republished with the reports of adjudged cases and other interesting documents of that day. Others may no doubt be found in the cotemporary newspapers, notwithstanding the infrequency of reports of debates of the General Assembly; and wherever found, abounding in the liberal views, patriotic sentiments and manly integrity, which belonged to their author.

But though of decisive political opinions, and participating occasionally in Legislative affairs, it was to his profession, at the Bar and upon the Bench, that his active manhood of about fifty-five years, was mainly devoted. And in this, he was destined to run his race, with no ordinary competitors. On his removal to Hillsborough, he came into a generous rivalry with Cameron and Norwood, Murphy and Ruffin, Yancey and Seawell, before his first promotion to the Bench; and in the interval between his resignation of this appointment, and his second election, with Badger, Devereux, Haywood, Hillman, Mangum, Morehead, Settle, and others yet engaged in the labors of the Bar or the Bench; by all of whom his abilities were acknowledged, his assistance valued, and his elevated standard of professional honor and rectitude duly appreciated.

He was first elected a Judge of the Superior Courts in 1818, and continued on the Bench until 1826, when an inadequate support from his salary compelled his return to the bar, at which he continued for ten years. During the latter portion of this period, under the appointment of the Governor and Council, he was one of the Commissioners who prepared the revised edition of the Statutes which went into operation on the 1st of January, 1838, in conjunction with the late Hon. James Iredell, Gavin Hogg, Esq., and the Hon. William H. Battle. He was again appointed by the Legislature a Judge of the Superior Courts in 1836, and served in that office with general acceptance, until his promotion to the Bench of the Supreme Court, as successor of the late Judge Gaston, in 1844. From that time until his decease, he had labored usefully and assiduously in the highest judicatory of the State, and since the retirement of the Hon. Thomas Ruffin in 1852, had held the station of Chief Justice. During the last two terms he had been disabled by sickness, from taking his accustomed part in the business of the Court; but being greatly benefitted by a visit to the Mineral Springs of Virginia, the past summer, he had flattered himself with perfect restoration, notwithstanding his advanced age, and seemed eager again for his judicial labors, until an attack of Pneumonia prostrated his hopes and terminated his life in a few days.

This brief recital of the employments of his life, is far from doing justice to his talents or his virtues. In the judgment of his brethren on the circuit, his numerous clients, and the people who attended the courts and remember his forensic efforts twenty-five years ago, he is entitled to be ranked among the first orators and most successful advocates that the State has produced. To extensive acquirements in the law, and well-disciplined powers of reasoning, he added a true taste and elegant attainments in letters, which gave even to his extemporaneous arguments a correctness of diction, an appropriateness of illustration, and rhetorical beauty rarely equalled; and with a clear silvery voice, a graceful manner and action, an ardent nature, and sympathies attuned to the noblest impulses of humanity, he often rose to the highest strains of eloquence. His elevated bearing as a practitioner, his scorn of chicanery and mere cunning, his genial and social temper in hours of relaxation, his paternal kindness to the junior members of the profession, will long be remembered by his associates, and commend him as a model for imitation.

It was perhaps in the capacity of a Circuit Judge, that he was most appreciated by the public and was most eminently useful to the State. Administering the Law in the immediate presence of the people of every section, he brought before them a character as unspotted as the ermine which was once the emblem of his office, a dignity without arrogance, a firm and inflexible exertion of authority without ostentation of power, a patience and courtesy to which deference was yielded without exaction, and satisfying all not only of the correctness of his intentions, but of the calmness and fairness of his judgment; he yet upheld the majesty of the law, and punished vice and crime with a certainty and severity which has been a terror to evil-doers even to this day. In this sphere of action he became known throughout the State, not merely as an able and useful Judge, but as one of the most urbane, benevolent and exemplary gentlemen of the age in which he lived. Few men, we believe, have ever lived in North Carolina for whom there have been a more universal and profound veneration and affection.

It was not merely, however, in the high places of the world that he was thus known and esteemed. His social and domestic character was the admiration of those who knew him best. This is sufficiently attested in the general sorrow and heart-felt sympathy and condolence with his surviving widow and family which pervades the entire community in which he so long lived. His christian profession was uniformly and consistently sustained in an elevated and enlightened piety, an enlarged benevolence, and active exertions. For more than forty years he had been a member of the Presbyterian church, (in the ministry of which he leaves a son,) and in his last hours experienced the consolations and hopes of a sincere and humble faith.

LIST OF PREMIUMS,

AWARDED at the Fifth Annual Fair of the Randolph County Agricultural Society, held at Asheborough on the 18th and 19th of November, 1858:

CLASS FIRST.—AGRICULTURAL PRODUCTS.

Largest yield corn per acre, 61¼ bus, Ivey Keerns,	$3
" wheat per acre, 20 bus, John Pope,	3
" sweet potatoes on ¼ acre, 65 bus, Nath'l Steed,	1
Best sample sweet potatoes, Wm Stewart,	50
" seed corn, John Dunbar,	50
" Irish potatoes, John Pope,	50
" wheat, (white,) Jonathan Worth,	50
" apples, very fine, Wm Hill,	50
" turnips, do.	50
" beets, Silas Keerns,	25
" cabbage, Do.	25
" onions, Nath'l Steed,	25
" dried fruit, Mrs S Colton,	25
" tobacco, Sterling Worth,	$1

For the best sample of Chinese sugar cane sirup, your committee is unable to decide between the three very fine samples exhibited by John Dunbar, Wm Branson and Joseph Newlin, and recommend a premium of $1 to each of the exhibiters.

Very fine samples of beets were exhibited by Isham Thrift and J. B. Guthrie.

L D Birckhead, Elias Macon and others exhibited very fine samples of seed corn.

Committee.—Jesse Walker, Henry Fuller, William Hill, John Dunbar, John Dorsett.

SECOND CLASS.—LIVE STOCK.

Best stallion 5 yrs old, Isaac Keerns,	3
" brood mare, John Dunbar,	2
" draught horse, Thomas Fuller,	1
" saddle horse, Wm A Prevoc,	1
" harness horse, Daniel Coble,	1
" 3 year old filly, William Ridge,	1 50
" 2 " colt, F M Birckhead,	1
" 1 " do. John Dorsett,	1
" sucking do. John Pope,	1
" jack, A J Hale,	2
" jennet, Do.	1
" mule colt 1 yr old, J W Wall,	1
" do. under 1 year, Ivey Keerns,	1
" native bull, William Hill,	1
" milch cow, Jesse G Henshaw,	1
" yoke work cattle, L D Birckhead,	1
" heifer 2 yrs old, J G Henshaw,	1
" do. 1 yr old, Penuel Wood,	50
" poney, Geo W Murdoch,	50
" lot of poultry, Mrs A H Marsh,	25

Committee.—L D Birckhead, Jason C Harriss, Nath'l Steed, Rob't McCadden, John McCain.

CLASS THIRD.—MECHANICAL PRODUCTS.

Best buggy, (an excellent article,) Dan'l Coble,	$2
" horse power, New-Market Foundry,	2
" straw-cutter, Do. Do.	1
" weeding hoe, Do. Do.	25
" specimen blacksmithing, Do.	50
" edge tools, (hand axe, chisels, &c., Do.	50
" home-tanned leather, beautiful, R McCadden,	50

Committee.—S McMasters, John S Blair, Penuel Wood, Silas Keerns, and Wm H Moring.

CLASS FOURTH.—DOMESTIC CONDIMENTS AND HOUSEHOLD FABRICS, &c.

Best specimen wheat bread, Mrs John S Blair,	25
" cheese, Mrs Wm Branson,	25
" butter, Mrs John Dorsett,	50
" bacon, Rob't McCadden,	50
Best jeans cloth, Mrs Elias Macon,	50
" quilt, Miss Sarah Elliott,	50
" counterpane, Mrs William Branson,	50
" cotton lady's dress, Mrs W A Prevoc,	50
" woollen do. Mrs John S. Blair,	50
" sample wool rolls, Jesse G Henshaw,	25
" " painting, Miss Julia A Wood,	25
" " drawing, Miss Adaline Worth,	25

The committee regret that they have it not in their power to award premiums to Mrs Branson, Mrs Keerns and others for their beautiful samples of butter on exhibition, as well as a number of articles among the household fabrics.

Committee.—Ivey Keerns, Jesse G Henshaw, Mrs A H Marsh, Mrs Lucy A Baldwin, Mrs John Dorsett, and Mrs Jonathan Worth.

CLASS FIFTH.—DISCRETIONARY PREMIUMS.

Cherries and Damsons, Mrs S Colton,	25
Lot of beautiful candles, Silas Keerns,	25
Lot of dried damsons, Mrs J Worth,	20
Straw bonnet, very fine, Miss Lizzie Elliott,	75
Jar of Jelly, very good, Miss Mary M Worth,	25
Boy's cap, equal to yankee, Miss Lizzie Elliott,	25
Sample vinegar, Mrs S Colton,	15
Leather and pine-bur frame, Miss Julia A Wood,	50
Worsted work, Miss Cornelia Moore,	25
One very beautiful and substantial hat, made of the leaf of the sand-hill pine, by Mrs M A Patterson,	$2
Lot soap, Mrs John S Blair,	15
Bottle blackberry wine, Joseph Newlin,	25
Quince preserves, Mrs B F Hoover,	25
Preserved cucumbers, grown in a bottle, H Lamb,	25
1 saddle blanket, Mrs John S Blair,	50
Dried cherries, Mrs A H Marsh,	25
Citron, do. do.	25
Grape jelly, Mrs B F Hoover,	25
Lot of lard, Silas Keerns,	50
2 coffee mills, D Roach,	50
1 straw frame, Mrs J Worth,	15
1 doll bonnet, Mary Worth (of color,)	25
1 spirit barrel, Dennis, Curtis & Co,	25
1 smoothing iron, New Market Foundry,	25
1 pin cushion, Miss Dell Worth,	25
Extra fine mare, Silas Keerns.	
Set buggy wheels, (extra,) W S Marsh,	50
1 small basket, Mrs Mary E Dunbar,	25
Yield of half acre of corn, 37½ bushels, Jno Dunbar,	1

Committee.—S G Worth, J A Marsh, S B Hill, Mrs H B Elliott, Mrs Wm Hill, Mrs P Wood, Mrs John S Blair.

At the annual meeting of said society held on the 19th of Nov. 1858, John Pope, Esq., was chosen President for the ensuing year, with B. F. Hoover and Joseph Newlin Vice Presidents; Robert McCadden Treasurer, and A. J. Hale Secretary.

On motion of B F. Hoover, Esq.,

Resolved, That the secretary of this society prepare and present to the citizens of the county, subscription lists, for the purpose of raising funds to purchase land, and enclose the same, and erect the necessary buildings for the benefit of the society at its next and subsequent Fairs.

On motion of Jesse Walker, Esq., it is ordered that the list of premiums and other proceedings of this Fair be published in the Fayetteville Observer.

In accordance with Mr. Hoover's resolution, a subscription was hastily taken up and about $200 was subscribed with an assurance on the part of members, that at least $500 could be raised, which was thought to be a sufficient amount for the purpose desired.

There being no further business before the meeting, the Society adjourned.

A. J. HALE, Sec'y.

FRESH TEAS,

JUST RECEIVED and for sale by

S. J. HINSDALE.

Cod Liver Oil Jelly,

FOR sale by

S. J. HINSDALE.

Nov'r 1. 59-tf

Blanks for sale at this Office

LATER FROM EUROPE.

CAPE RACE, Dec. 8.

The *City of Washington* passed here yesterday afternoon, with Liverpool dates to the 24th.

Commercial.—LIVERPOOL, Nov. 24.—Cotton dull, but firm and generally unchanged. Sales for three days amount to 19,000. Manchester advices favorable.

Breadstuffs generally dull and unchanged, except wheat, which is slightly higher for finer qualities. Provisions dull. Rosin steady at 4s. 3d.—Spirits turpentine steady at 40s.

TROY, N. Y., Dec. 2.

Death of Benjamin Marshall.—Benjamin Marshall, Esq., one of our oldest and most respected citizens, died to-day, aged seventy-six years. He was largely engaged in manufacturing operations, in which he had acquired an ample fortune.

Prosperity of Methodism.—The *Christian Advocate and Journal* puts the numbers in the Methodist Episcopal Church, North, as given in the latest returns, at 956,555; being an increase for the last year of 136,036.

The same paper estimates the increase in the Methodist Episcopal Church, South this year, at 50,000. The returns of the Southern Church are not yet complete; but we think the increase of membership is much larger than that. But supposing it to be that number, then the whole number of members in the Southern church, including preachers, is 713,118. This gives an aggregate increase of 163,036 during the year, and the whole number of Episcopal Methodists in the United States 1,683,705.—*Chris Advocate.*

Farmers' Bank.—A meeting of the Stockholders of the Farmer's Bank of North Carolina will be held in Raleigh on Friday, the 17th instant. The objects are, to adopt measures for the speedy redemption of the circulation, and consult together for the interest of the institution.

Subscription to the Western Extension.—We learn that the people of McDowell have voted at the polls, by a majority of 211, to subscribe $50,000 to the Western Extension.—*Ral. Stand.*

Marine Disasters for November.—The severe weather which prevailed during a part of last month produced quite a multitude of casualties to the shipping. The number of sea-going craft reported as totally lost and missing amounts to 26, comprising 1 steamer, 7 ships, 1 bark, 4 brigs and 13 schooners. Among them there were no less than three ships destroyed by fire, and one schooner. The missing are two in number.

The total value of the above is estimated at about $520,000, exclusive of cargoes.

COMMERCIAL RECORD.

ARRIVALS.

Rush & Orrell's Line. Dec'r 3.—Str Sun, with goods for E W Willkings, J W Lett, Ray & Pearce, A Holmes, jr, G W W & Co, Jones & Sperling, Worth & Utley, H L Myrover & Co, A G Thornton, Union Co.

Lutterloh's Line. Dec. 8.—Steamer Fanny with goods for A A McKethan, G & Barnum, J A Worth, R D Green, E Glover, C E Leete, D & W McLaurin, B Rose, G W Williams & Co, W C Troy, J Martine, S J Hinsdale, J R Lee, J G Cook, B R Huske, E Page, R B Heide, J C Poe, Jno Shaw, J W Lett, J Kyle, J D Williams, W McIntyre, J T Houston.

Also, 12th, Fanny with passengers and freight for sundry persons

Lutterloh's Line. 10.—Steamer Southerner with goods for G W Williams & Co, T S Lutterloh, H Pope, J Martine, D & W McLaurin, W C Troy, S J Hinsdale, E Page, J W Lett, C E Leete, T J Johnson, J R Lee, S W Tillinghast & Co, N C Arsenal, S W Cotton, J D Williams, Jno Shaw, B Rose.

Cape Fear Line. Dec'r 10.—Str Flora McDonald, with goods for G W Williams & Co, J M Worth & Son, Cedar Falls Co, Worth & Utley, C T Haigh & Sons, G Lauder, Jno C Haigh, H L Myrover & Co, J & D G Worth, Gen W Draughon, D McNatt, W H Carver, A G Thornton, A W Steel, G W Lawrence, D Anderson, Rev D Johnson, Murchison, Reid & Co, S T Hawley & Son, A A McKethan, Mrs M Banks, G & L Brandt, Stedman & Horne, Jr, J N Smith, S C & L Fox, A M Branson, Smitherman & Spencer, Rockfish Co, W B Blake.

LAND FOR SALE.

THE Subscriber offers for sale SEVEN HUNDRED ACRES of

Good Turpentine and Farming Land,

situated in Robeson county, directly on the Southern Plank Road, twelve miles from Fayetteville.

If not disposed of privately, by January 1st, it will be sold at public Auction on or about that time, of which due notice will be given.

Terms will be made easy and accommodating to the purchaser.

Address the subscriber at Montrose P. O.

NEILL SINCLAIR.

Nov'r 10, 1858. 63*7tpd

KEROSENE OIL.

Advance in Price.

I AM now selling Kerosene Oil AT $1 75 PER GALLON, the 'Kerosene Oil Company' having advanced their price on the 10th inst.

S. J. HINSDALE.

Nov'r 15. 63-

OIL AND PAINTS.

BLEACHED WINTER WHALE OIL;
PURE TRAIN OIL;
TANNER'S OIL;
LINSEED OIL;
WHITE LEAD AND SNOW ZINC.

Just received and for sale by

JAS. N. SMITH.

Dec. 4, 1858. 69-tf

$5 REWARD.

RANAWAY from the subscriber, in Richmond county, on or about the 11th of Nov'r, a BLACK MARE MULE; both shoulders sore, and white on the belly: these are all the marks I recollect of.

Any person taking said Mule, will receive the above reward, exclusive of the charges, on addressing

CHAS. SMITH,

Bostick's Mills, N. C. Dec'r 3. 69*3t

TERRYS

Infallible Destroyer.

THE advantages possessed by this article over all other like preparations are (in part) as follows: FIRST, (*and principally,*) because it is not *so* dangerous to the human family, although for Rats, Mice, Crows, Moles, &c, it is the *quickest* and most *effectual* remedy of destruction that can be found in the world. SECOND, it being not altogether manufactured of mineral substances, but mostly of poisonous stuffs found in the woods, is not therefore liable to "dry up" so soon, but will remain "good as new" for a number of years. THIRD, (and lastly,) it is eaten more greedily, while a much smaller quantity suffices, &c., &c. But purchase a box and give it a TRIAL, you will never regret so doing. Parties desiring the agency should address as follows for terms.

W. R. TERRY,
Manufacturer & Proprietor,
Rockingham, N. C.

☞Sold by SAMUEL J. HINSDALE, Fayetteville, N. C., also, by numerous travelling and local Agents throughout the South.

N. B.—Persons enclosing One Dollar to the above address will receive two boxes of this "Destroyer" by first return mail, postage paid.

Oct'r 1. 51*1tf

D. W. BOWMAN K. M. MURCHISON.

BOWMAN & MURCHISON,

COMMISSION MERCHANTS,

NO. 104 WALL STREET,

New York.

LIBERAL cash advances made on Consignments of Cotton, Naval Stores and Southern Produce generally.

Sept. 17, 1858. 47tf

OBSERVER.

FAYETTEVILLE

MONDAY EVENING, DECEMBER 13, 1858

NOTICE.—From and after this date no name of a new subscriber will be entered on our list without payment in advance, nor will the paper be sent to such subscribers for a longer time than is paid for.

Such of our old subscribers as desire to take the paper on this system will please notify us when making remittances. We hope thus in a few years to have our whole list advance paying. January 1, 1858.

THE PRESIDENT'S MESSAGE.—There are very grave objections to portions of the Message. We allude particularly to those parts relating to Cuba and Mexico. Mr. Calhoun said wisely, that "Cuba is forbidden fruit to us." Let it alone. We could not eat it if we would, and we should not if we could. As to Mexico, every consideration should forbid the establishment of U. S. military governments in the provinces of Mexico. Do this, and Mexico might as well cede them to us at once. She would never get possession of them again, and it is probable the President does not mean that she should. And we should stand before the world in the attitude of sneakingly getting that which we have abundant power to take by force, but are unwilling so to do because it would lead to war.

We object also to the revival of the miserable Kansas question after it had fairly died out. It is to be feared that it will be discussed again at this session, Hale having replied to that part of the Message instanter.

As to the tariff, it will be seen that the President recommends that old Whig measure, of specific duties instead of ad valorem; and incidental protection to our suffering manufacturers of iron, &c. But in both these particulars his Secretary of the Treasury, Mr. Cobb, differs from him, maintaining the ad valorem principle, and emphatically opposes even incidental protection. He goes for laying the taxes on "such things as are *not* produced in this country, and, among those produced here, those in which the home product bears the least proportion to the quantity imported." The President and his Secretary are thus directly in antagonism. Which is democracy?

The Secretary of the Treasury, by the way, proposes to raise the duties so slightly as only to produce $1,800,000 of additional revenue, a sum which would seem to be utterly inadequate to the wants of the treasury.

We are very sorry too to see that the President recommends an increase of letter postage to 5 cents, and a stoppage of all stage facilities. This last comes with a very bad grace just after his recent glorification over the establishment of a stage line, at enormous expense to the government, from St. Louis to San Francisco.

COOL.—Under all existing circumstances we think the following is one of the coolest specimens of humbuggery that we have seen lately. It is an extract from a letter written by President Buchanan to a committee of invitation in Pittsburg:

"I shall assume the privilege of advancing years in referring to another growing and dangerous evil. In the last age, although our fathers, like ourselves, were divided into political parties which often had severe conflicts with each other, yet we never heard, until within a recent period, of the employment of money to carry elections. Should this practice increase until the voters and their Representatives in the State and National Legislature shall become infected, the fountain of free government will then be poisoned at its source, and we must end, as history proves, in a military despotism. A Democratic Republic, all agree, cannot long survive unless sustained by public virtue. When this is corrupted, and the people become venal, there is a canker at the root of the tree of liberty which must cause it to wither and to die."

Now it is well known to the President and to all other intelligent people, that every public officer in the Northern cities, and even in Washington city, under his own nose, is regularly assessed a per centage of his pay, to raise a fund for controlling the elections in favor of the democratic party. Mr. Buchanan himself owes his election to the lavish employment of money, and the next democratic President, if there should be another, will owe his to the same cause.

VIRGINIA.—The Virginia Mob, at Petersburg, after three days (and almost three nights too) of wrangling and rowdyism, nominated John Letcher for Governor, J. Randolph Tucker for Attorney General, and R. L. Montague for Lieut. Governor.

The democratic party feels that it can do any thing with impunity. Here is a man virtually elected Governor of Virginia, who, only a few years ago, was an avowed abolitionist, a Virginian by birth too. No other party could venture to make such a nomination; and it is to be hoped that no other ever will after the downfall of that present party which can, for the consciousness of the power to do that which no others dare do, leads to much of evil in the state. No sooner was this nomination made, by five-eighths of all the votes, than hundreds of furious and bitter opponents of Letcher—opponents on the ground of his unsoundness on the Southern question—at once gave in and avowed their determination to support him with all their might.

LIBERALITY.—Professor Morse has received official notification from the French Ministry of a present about to be made to him of 400,000 francs by the nations of Europe as a *gratification personelle* in requital of scientific achievements. France acts as banker to the distinguished beneficiary; and the money is to be delivered to him in four annual instalments. Among the contributors remote Sweden has subscribed for nearly 60,000 francs. There is a rumor, that a part of the money is liable to be claimed by another fellow-countryman, and that a suit at law may be the consequence of opposition to the claim.

So says the Paris correspondent of the National Intelligencer. Another writer states that the Professor has actually received the first instalment of 100,000 francs ($20,000.)

GENERAL ASSEMBLY OF N. CAROLINA.

Condensed from Saturday's Standard.

In the Senate, on Thursday, Mr. Humphrey reported in favor of the bill to incorporate the Cedar Falls (Randolph) Man. Co.

Mr Edney, concurring in the memorial of citizens of Washington as to the necessity of a railroad to that town, but against the State's aiding.

Mr Lane, against the proposed county, Dobbin.

Mr McDonald introduced a bill to amend 68th sec. 90th chap. Rev. Code.

Mr Houston, a bill concerning auctions and auctioneers.

THE DANVILLE CONNECTION.

The bill to incorporate the Milton & Yanceyville Junction Railroad was put on its 2d reading, amended so as to make Mebanesville, instead of the Shops, the terminus on the N. C. Road, and Mr. Brown of Caswell spoke at length and with much ability in its favor. His people asked only the privilege of building a road with their own money. They demanded this as a natural right, and as guaranteed by the principles and spirit of the constitution. Besides benefiting a large and productive section and building up Milton and Yanceyville, this road would add very largely to the freight and travel on the N. C. Road; and thus pay into the Sinking Fund a large amount annually, and make the State's worthless N. C. stock of very considerable market value. If the privilege were refused, and the people of his section denied the right of seeking the markets of the world, it would be equivalent to an act of expulsion from their homes. He denied that it was a Virginia scheme, and repelled the imputation that its advocates were wanting in State pride. The planter of North Carolina, who sought to sell his rice or cotton in the best markets of the world was none the less a North Carolinian. The southern planter, who claimed the benefits of the Liverpool markets none the less an American. On the contrary, he was a better citizen and a better patriot, for while he advanced his own individual interests he advanced the general wealth and prosperity.

The bill was rejected, as follows:—

For the Bill.—Messrs. Boyd, Brown, Carmichael, Cherry, Cunningham, Davidson, Davis, Dobson, Douthitt, Edney, Gorrell, McDonald, Miller, Mills, Reinhardt, Steele, Walkup and Worth—18.

Against the Bill.—Messrs. Ashe, Battle, Bledsoe, Blount, Cowper, Dillard, Flanner, Guyther, Houston, Humphrey, Lane, Lankford, Leach, Martin, McDowell, McKoy, Pitchford, Pool, Ramsay, Speight, Straughn, Taylor, Ward, Whitaker and Williams—25.

THE COAL FIELDS RAILROAD BILL.

The motion to reconsider this bill prevailed as follows:

For the Reconsideration.—Messrs. Ashe, Bledsoe, Boyd, Brown, Carmichael, Cherry, Cowper, Davidson, Davis, Dobson, Edney, Gilmore, Gorrell, Houston, Humphrey, Leach, McDonald, McDowell, McKoy, Miller, Mills, Pitchford, Pool, Ramsay, Reinhardt, Speight, Steele, Straughn, Thomas, Walker, Ward and Worth—32.

Against the Reconsideration.—Messrs. Battle, Blount, Cunningham, Dillard, Douthitt, Flanner, Guyther, Lane, Lankford, Martin, Taylor, Whitaker, and Williams—13.

The engrossed bill to prohibit betting on elections passed its third reading and was ordered to be enrolled.

On Friday, Mr. Flanner introduced a bill to incorporate the Bank of Commerce, Newbern.

Mr. Dobson reported against the bill to cede to the U. States, jurisdiction in the purchase of a site for a Court-house and Post-office in the city of Raleigh.

And Mr. Gorrell to the same effect in the matter of the proposed national works on Deep River.

In the Commons, on Thursday, Mr. Kerr, from the Judiciary, reported against the resolution to alter the Constitution so as to require members of Assembly, &c. to be 21; and also against the removal of the Jewish disabilities.

The resolution to give copies of Emmons's report to various Northern and European cities, public libraries, &c. passed.

A long debate occurred upon a resolution to refer Mr. Haywood's case to the decision of the Supreme Court. Finally the whole matter was referred to the Judiciary Committee, with instructions to report whether Mr. Haywood is or is not entitled to his seat. And on the next day the reference was changed to the Committee on Privileges and Elections.

On Friday, Mr. Benbury offered a resolution that Mr. Taylor of Chatham, being a minister of the Gospel, is ineligible to a seat in the House. And this resolution was made the order for Wednesday.

Nothing else of interest occurred in either House on Thursday and Friday except the election of Judge Ruffin, elsewhere noticed.

Latest—From our Reporter.

RALEIGH, Dec. 11.

To-day being private bill day none other were taken up in the Senate. There were but three bills introduced; of them but one is of any interest to any of your readers—a bill to provide for the election of a Sheriff in Cabarrus. The office being made vacant by the insanity of the Sheriff, who is now in the Lunatic Asylum.

A bill for the relief of the securities of Joshua Sykes of Union county, passed its 2d and 3d readings. Also a bill to incorporate the Cedar Falls Manufacturing Company.

The Senate laid a report of the Treasurer upon the table, which had been sent from the House with a proposition to print. It was a statement of the indebtedness of the State, facts concerning the State bonds, &c. It was over seven feet long and about 18 inches wide.

In the House, to-day, about the first business done was a suspension of the rules and taking up your Western Railroad bill. Mr. Williams offered an amendment proposing to strike out $600,000 and insert $400,000.

Mr McKay said, he knew that the amendment was offered in a good spirit, that it was done thinking to help the passage of the bill. The State had aided the different Railroads lately built thus: The North Carolina R. R. $14,900 per mile; the Atlantic $15,200 per mile; the Western North Carolina $14,545; and all that the Fayetteville Road had asked was $13,955. The amendment, though, instead of giving them even that, compelled the stockholders to subscribe one-half. But such was the confidence that they had in it that they were willing even to such terms as the amendment proposed, therefore he accepted it and would move that the bill be re-referred to the committee for remodeling. And so it was.

A somewhat important resolution was introduced today by Mr. Hill of Halifax. It instructs the Judiciary Committee to make some inquiries as to the small certificates of deposit issued by the Greensborough Mutual Insurance Company, and whether anything in the Charter of said Company prevents the stoppage of such issue.

Mr. Stanford introduced a bill to incorporate the town of Kenansville.

Mr. Reeves, a bill concerning it. Judging by the car as it was read, I think it is the best one of the kind yet introduced.

Several little petty mining and manufacturing bills were lengthily discussed in the House. Nothing else done.

The following are the enrolled bills, (passed both Houses and are Laws:) A bill to provide for procuring evidence against Faro dealers, &c. A bill to prohibit betting on elections. A resolution concerning the Revised Code. A resolution approving the Naval Commission to Deep River. A bill to protect wild fowl in the waters of Currituck. A bill to make act of 1840 concerning rivers of Cherokee apply to Notla river. A bill to extend time for registering grants, deeds, &c. A bill to extend the corporate limits of Statesville. A bill to amend the act changing time of holding county courts of Chowan.

JUDGE RUFFIN ELECTED SUPREME COURT JUDGE.—This important election was held on Friday last, and took a turn as unexpected and remarkable as it was honorable, in these days of office hunting and small things, to the electors and the elected. The Hon. Thomas Ruffin, Sen., late Chief Justice, was elected on the second vote, almost unanimously. There appears to have been no concert about it, or such would doubtless have been the result on the first trial. The Judge was not a candidate, had not been consulted, was not in Raleigh, and, as he had resigned six years ago on account of his age, (then 66,) it is natural that he should not desire to return to the Bench at 72. But his pre-eminent ability, which had brought the decisions of our Court to be regarded as of the highest authority throughout the country, and himself as first among living Jurists, pointed to him above all others, to fill the existing vacancy. When Mr. Dortch (democrat) said he altogether discarded politics in this matter, and nominated Judge Ruffin, and next to him preferred B. F. Moore of Raleigh, (whig,) the friends of Mr. Eaton of Warren immediately withdrew him from nomination, declaring they would not run him in opposition to Judge Ruffin. Mr. Scales, who represents Judge Ruffin's county, Alamance, "could not say whether the Judge would accept the office. But knowing the high sense of duty by which this eminent gentleman was always actuated, he thought it possible, even probable, that he might accept He knew Judge Ruffin to be the first choice of a large majority of this Assembly, and whether he accepted or not, he felt sure that no one would object to tendering this high compliment to so profound a jurist and so good a man.

The House voted with the following result:

Messrs. Ruffin 75, Winslow 3, Heath 1, Holmes 5, Badger 14, Donnel 3, Smith 2, Manly 3, (but 2 afterwards changed to Ruffin:) W. A. Graham 1, Saunders 1.

The Senate vote was given at the same time, but without the knowledge of what had been said in the Commons. The Standard says,—

The names of several gentlemen were put in nomination, and the House informed thereof by message. The Senate voted as follows:

For W. A. Eaton.—Messrs. Battle, Bledsoe, Brown, Cunningham, Lane, Lankford, Martin, Pitchford, Reinhardt, Speight, Taylor, Ward—12.

For Hon. G. E. Badger.—Messrs. Carmichael, Cherry, Cowper, Douthitt, McDonald, Pool, Thomas and Worth—8.

For R. S. Donnell.—Messrs. Blount, Davis, Flanner, Leach, Ramsay, Straughn, Turner—7.

For H. L. Holmes.—Messrs. Ashe, Davidson, Gilmore, Houston, McDowell and Mckoy—6.

For Hon. Thomas Ruffin, of Alamance.—Messrs Boyd, Mills, Steele, Walkup, Whitaker—5.

For W. B. Rodman.—Mr. Speaker, Guyther and Humphrey—3.

For Judge Heath.—Messrs Dillard, Williams.

For Judge Manly.—Messrs Dobson and Edney.

For Hon. W. A. Graham.—Messrs Gorrell and Miller.

The Joint vote of the two Houses was 160, of which Judge Ruffin received 80, Mr. Badger 22, Mr. Eaton 12, Mr. Donnell 11, Mr Holmes 11, Mr. Rodman 8, Judge Manly 4, Judge Heath 3, Mr. Graham 3, W. Winslow 3, W. H. N. Smith 2, Judge Saunders 1. No election.

The names of several of the foregoing candidates were now withdrawn, and

The Senate voted unanimously for Judge Ruffin.

The house proceeded to vote again, when being informed that the Senate had unanimously voted for Mr. Ruffin, a large number of members changed their votes in his favor, and he received an almost unanimous vote.

We earnestly hope that Judge Ruffin will accept the high office thus tendered to him. He is still vigorous in mind and body, and we trust has "many years of work in him yet." A compliance with the public wish is due to the magnanimity of the Legislature which discarded all party and personal feelings to secure the best man for the highest office in the State.

CONGRESS.—There was a very full attendance of members of both Houses on Monday last. Of the North Carolina members, Messrs. Clingman and Reid, Senators, and Ruffin, Winslow, Branch, Scales, and Craige, Representatives, were in their seats.

Vice President Breckinridge took the chair in the Senate, and Speaker Orr in the House. All the other officers hold their places from the last session.

Congress being thus organized, the President sent in his Message on Monday, instead of some later day, as usual. In the Senate, Mr. Hale delivered a speech in opposition to the statements of the Message, particularly as regards Kansas.

In the House, before the Message came, a motion was made by Mr. Dewart of Penn. to suspend the rules to receive a resolution in favor of an increase of the duty on coal and iron, to which were added, on several suggestions, lead, coal, "and such other articles as need protection against foreign competition." Mr. Dewart refused to add sugar. The yeas and nays were taken and 102 voted for the resolution to 87 against it. It required two-thirds to suspend the rules, but it seems that more than a majority of the House—the democratic House—is in favor of protecting certain articles, produced by certain States in which the free trade principle has lost the party its former ascendancy.

On Tuesday, nothing of importance occurred in either House, and both adjourned till Thursday, to allow of the selection of Committees.

On Thursday, the Senate elected Jones Doorkeeper, and adjourned.

The Speaker announced the House committees. Mr. Phelps of Missouri is chairman of the Ways and Means; Hopkins of Va. Foreign Affairs; Bocock of Va. Naval Affairs; Faulkner of Va. Military Affairs; Goode of Va. District of Columbia; Houston of Ala. Judiciary; Cobb of Ala. Public Lands; Stephens of Geo., Territories. [As to the Chairmen of the 38 Committees, the Speaker appear to have ignored the existence of the North Carolina Members. They, however, figure on the committees as follows: Elections, Mr Gilmer; Public Lands, Ruffin; Dist. of Columbia, Scales; Judiciary, Scales; Rev'y Claims, Vance; Manufactures, Shaw; Naval, Winslow; Foreign, Branch; Rev Pensions, Shaw; Library, Winslow.]

SOUTH CAROLINA.—The Hon. Jas. Chesnut has been elected to the U. S. Senate for the unexpired term of Judge Evans, (till the 4th March 1859,) as well as for six years thereafter.

STATE STOCKS.—We note sales of N. C. Bonds in New York at 98. Virginia at 96¼.

The Journal of Commerce says that the interest due the first of January on the bonds of the State of North Carolina, is already on deposit at the Bank of the Republic in New York.

THE WILMINGTON HERALD.—This paper professes to have "no disposition to enter into any lengthy controversy" with us about Hawks's History. Then why did it engage in the controversy at all? It volunteered to take the place of a writer who signed himself "A Wilmington Subscriber," in such a manner as, (under certain circumstances known to them and to us,) leads to a suspicion that the editors themselves wrote that article. We did *not* accuse the Herald of "wilfully misrepresenting us," but their failure to correct those misrepresentations after being informed that they *are* misrepresentations, shows that we would have been justified in making such an accusation. They are *now*, at all events, wilful misrepresentations, whatever they may have been at first. Just men—to say nothing of generous men—never mislead the public to their neighbors' disadvantage, without making the fullest and readiest atonement on being satisfied of their error. The Herald has misled its readers to our wrong. It knows that it so misled them in various particulars. It does not pretend to deny that. But yet it retracts nothing. It only blunders into new errors and wrongs.

The Editors of the Herald know well enough that we did not allude to the fact of our having presented the volume to them till they made a parade of a willingness to have the price of their copy doubled, and added such a puerile complaint about the color of *the* volume presented to them. The idea of "expecting to keep the balance of the press of the State silent by threatening to give them no more books," never entered *our* minds. It is an ingenious suggestion of the Herald, made doubtless with a view to our injury. *We* had no such contemptuous and contemptible thought of our brother editors; and presume there is not one of them who would be silenced by such a paltry consideration, and not one (except those of the Herald,) who would make *such* complaints about the color of the binding &c. of a presented book. We felt bound to assure the Herald that we should not give them another volume, *because* they plainly told us that those we had given were "a constant source of annoyance" to them.

There is an old injunction "never to look a gift horse in the mouth." In one respect the Editors of the Herald seem to have been mindful of this: they do not appear to have gone deeper into Hawks's history than to inspect the binding and the "superior quality" of the paper. If they had, they might possibly have found something to praise—something to stir any patriotic blood that may be in their veins—something to extort from *them* such a kindly notice as their worthy predecessor gave to the first volume, the merit of which they coolly appropriate to themselves. But there are many sensible people, perhaps not of the same sort of "taste" as the Editors of the Herald, who have found even the "getting up" of the book worthy of praise. We have received many assurances of what we know to be true, that the book is handsomely printed, on excellent paper, and well bound: that the "getting up" is very creditable to us and worthy of the work.

The Herald says,—

"As to the assertion of the Observer that only *four* subscribers to the work in Wilmington had taken it, the rest *repudiating*, we have taken a little trouble to examine into the facts of the case, and find that the charge is altogether an unjust one, and we are much surprised that the Observer under the circumstances should have made it. The facts of the case are these: There are forty-five *subscribers* in Wilmington to Hawks' History of North Carolina. When the agent employed by the Messrs. Hale to deliver the second volume, came to this place—about two weeks ago we think, he immediately took his books and went round to all the subscribers he could find. He did not see all, and many that he did see did not happen to have the money in their pockets at the time, and consequently did not take the book then, as the terms are strictly cash on delivery. The agent we are told only staid in Wilmington some six or eight hours, and only succeeded in collecting the pay for *four* copies of the work.

"Since he has left, sixteen subscribers have called at the Bookstore and paid for their books. Fifteen say they will pay and take the book when it is convenient for them to do so. One has died. Three have moved away. Two say they never subscribed. One is not known by the Bookseller, and THREE have refused to take the book."

Upon which we have to remark, that the subscribers in Wilmington were not subscribers to the bookseller there. They were under no obligation to take the book from *him*. They agreed to pay *us* for the work, and when they refused to do that they wronged us out of more than a fourth part of the price, for the books they have bought from the bookstore there were bought from our agent at the usual discount made to wholesale purchasers. Instead of receiving $140 from the subscribers in Wilmington, the agent could collect but $12, not enough to pay his expenses in going there. So that all the books he succeeded in delivering there were a dead loss to us. And all the books delivered and sold in Wilmington have produced us less than their actual cost to print, because the subscribers would not take them from *us* as they had agreed to do. The Herald says the agent "only staid in Wilmington some six or eight hours." If so, the Hotel people must have fleeced him most egregiously, for he paid for a day's board, and he thinks he was not over-charged. But he staid till, with the assistance of a hired guide, he had hunted up all of the subscribers who were to be found in town, and we take it that it was needless for him to stay longer. We are aware and have admitted that he did not see some few, who were out of town.

We have been accused sometimes of saying hard things of Wilmington, but we never said any thing quite so bad as the above from the Herald, which gravely informs us, that out of nearly fifty of the first citizens of that city, only *four*, after nearly a week's notice in both the papers of the city, could muster $2 75, $3, or $3 25, to pay "strictly cash on delivery." Now if the Herald had only stated this at the first, we should not have had the heart to say a word about the matter. It would have been manifest that it was "their poverty and not their wills that consented" to the repudiation of their contracts, and that would have excited commiseration, instead of indignation. It appears that 16 of them have since succeeded in "making a raise" of the requisite amount of the needful, and that the bookseller lives in hopes that 15 more will some day or other find a "convenient" season. We are sorry for the poor fellow that died, though we don't know who he was. The three that moved away, doubtless pulled up stakes to get rid of this responsibility. And as for the "two who say they never subscribed," it is fortunate for them that the book in which their names are written is here, and not in Wilmington.

Here we might stop, but we are unwilling that the Herald should do injustice to its friends in Wilmington, some of whom may consider it a much greater reproach to accuse them of want of means than of failure to comply with their contracts with us. We therefore add, that our agent informs us that only *one* of the subscribers pleaded a lack of cash. The others refused on the grounds heretofore stated.

WESTERN RAILROAD.

Amount of Freights for week ending Saturday, Dec. 11.

C. E. Roberts & Co., 52½ cords wood,		$29 75
H. McPherson, 22½ cords wood, 3 sacks corn, 1 sack flour,		12 57
Wm Bletcher, 7½ cords wood,		3 75
M. A. Baker, 200 Hoop poles,		50
T. S. Lutterloh,	1008 bbls. Rosin,	126 00
Worth & Utley,	497 " "	62 14
G. W. Williams & Co.,	116 " "	14 50
		$249 21

MASONIC.—The Grand Lodge of A. Y. Masons was in session at Raleigh last week. Alfred Martin of Wilmington was re-elected Grand Master. H. C. Lucas of Fayetteville was elected Grand Senior Warden, and Daniel Coleman of Concord Grand Junior Warden.

HIGH PRICES FOR NEGROES.—At a sale in Moore County on the 25th ult., a negro woman, between 45 and 50 years old, was sold for $350; a boy of 13 for $1400; a girl of 12 for $1226; another of 9 for $1000; and a third of 7 for $905. The negroes belonged to the estate of Daniel Mickle, dec'd.

In Richmond County a few days ago, 22 negroes, large and small, in families, were sold to a planter for $19,000.

CHINESE SUGAR CANE SIRUP.—Mr. Jos. B. Guthrie, of Science Hill, Randolph County, has sent us a bottle of Sirup. Mr. Guthrie made this year eight gallons from about four rods of land; and has satisfied himself that its manufacture will pay very well. A considerable quantity, he tells us, has been made in Randolph.

COTTON RECEIPTS.—1,210,468 bales, against 608,935 bales last year. Increase 601,533 bales.

AN IMPARTIAL CRITIC.—It is refreshing to read a notice of the truly great work in which Dr. Hawks is engaged as a labor of love, like the following, which forms the leading editorial article in the Boston Evening Transcript of the 3d inst. We know nothing of the Editor of that paper, nor of how or where he got his copy of the work—we certainly did not present it to him;—but it will be seen that he has not discovered either that the volumes are of unequal size, that the paper is too good, that the color of the binding is too light or too deep, nor even that "the outside decorations are annoying to a man of taste for symmetry and neatness." But he *has* discovered that there is a rich mine *within* the binding, for he has evidently read the book. He is not a Wilmington editor, to have his patriotic feelings excited by the color of the binding; but only a Boston man, who can therefore be delighted with the truthful and wonderfully complete story of North Carolina's early and honorable career; has a soul to appreciate the author, to admire his genius, to acknowledge his erudition, and to thank him—the only reward he covets—for his patient and patriotic labors. He is a Boston Editor: what can he know, in comparison with our neighbors at Wilmington, of the style in which a book should be "put up"? *He* dwells upon the merits of the work: the Wilmington Herald *incidentally* devotes two or three lines to the merits by way of adding force to an outpouring of bile against the publishers. What an encouragement to labor and spend for one's country!

FROM THE BOSTON EVENING TRANSCRIPT.

THE HISTORY OF NORTH CAROLINA, BY REV. DR. HAWKS.

The Reviews have been filled of late years with speculations as to the best manner of writing history; and diverse as are the theories of critics, upon one point they are unanimous, viz., that whoever seeks, authenticates and records the essential facts of history is a public benefactor; his successors may weave rhetoric or eliminate philosophy from the materials thus gathered, but, for the principles and the truth involved in the subject, the original annalist, who draws from the primitive records, collates them, links them into an harmonious whole and vivifies the whole with evidence and with feeling—is the historical benefactor. Such a service has the Rev. Dr. Hawks, of New York, rendered in his History of North Carolina—the second volume of which has just appeared at Fayetteville, in that State. Few Americans are better fitted for such a task. Altho' an indefatigable and most efficient clergyman, the intellectual bias of Dr. Hawks is toward historical investigation. His occasional sermons, his articles on ecclesiastical history, his lectures and his conversation all evidence this native love of and appetite for historical studies.

Especially is he the man to write the History of North Carolina. It is his native State and he loves her with filial zeal; he has accordingly, for years, explored her archives, gathered data from abroad, and employed the few leisure intervals of arduous professional duties, in preparing this interesting work. We heartily approve both the spirit and method of his labor. He gives ample authority for every statement; he narrates with perspicuity and fullness; he illustrates with tact and eloquence; he dwells with emphasis on the noble phases of Carolina's story; but all the while he keeps steadily in view the dignity, the responsibleness and the vital conditions of historical writing. Herein we commend his example to the less scrupulous writers, and we find that in this method of writing history he not only gives a "local habitation and a name"—but contributes to what is genuine and permanent in our national annals. Beginning with the Letters Patent, granted by Queen Elizabeth to Sir Walter Raleigh, he traces every voyage to the colony and its results, from 1584 to 1590, and then elucidates the period embraced by a full and most interesting historical narrative. This occupies the first volume, of which the gallant Sir Walter is the hero, whose career and character are admirably drawn by this historian, forming an impressive central figure around which cluster the earliest incidents of the colonial era.

The second volume is quite a model of statesman-like induction and economical research; it unfolds in a manner which sometimes reminds us of DeTocqueville, and sometimes of that unappreciated but valuable English chronicler, Henry, the resources and developement of the State. To form an idea of the extent and thoroughness of the historian's inquiries and deductions, we have but to note the titles of the chapters, viz., Exploration and Settlement; the Law and its Administration; Agriculture and Manufactures; Navigation and Trade; Religion and Learning; Civil and Military History; Manners and Customs. Under each of these heads the most important social, political, industrial and local facts are brought together; and much of the information is precisely what the historian of civilization, the political economist, and the moral philosopher need and seek so often in vain in more ostentatious histories. Dr. Hawks has collected and recorded some of the least known and most suggestive materials we have yet found in local history; the erudite and the curious, the speculative and the practical reader will find equal gratification. A masterly general view concludes this vigorous work—which from the distance at which it is published, and the novel merit of its scope and execution, we have thus endeavored to make known to our scholars and patriots. The volumes are copiously illustrated with maps, portraits, &c.

MARRIED,

On the 1st instant, in Sampson County, by Rev. Miles P. Owen, Mr. HERRING HALL, of Duplin, to Miss ELIZA ROBINSON.

On the 18th ult, in Madison County, Florida, at the residence of the bride's father, by the Rev. Mr. Ardis, Mr. L. N. LUCAS, formerly of Montgomery Co., N. C., to Mrs. SALLIE E. AVANT, daughter of Allen Townsend, Esq.

At the residence of Mrs. William Faison, in Sampson Co., N. C., on the evening of the 17th inst., by Rev. J. D. Hufham, Rev. B. F. MARABEE, of Halifax, Va., to Mrs. AMELIA McDUGALD daughter of the late William Faison, Esq., of Sampson Co., N. C.

In Moore County, Nov. 25, by Thos. Rollins, Esq., Mr. ANDREW S. BROWN to Miss ATHEA ANN BROWN, daughter of Wm. Brown, Esq. By the same, on the same day, Mr ELIJAH M. WICKER to Miss MARGARET ANN OLIVER, daughter of Daniel Oliver, Esq.

On the 25th Nov'r, at the residence of Col. Wm. McNeill, Hinds county, Miss., by the Rev. W. W. Lord, Maj. JEFFERSON BUFORD, of Ala., and Mrs. E. H. McNEILL.

Presbyterian copy.

In Moore county, on the 1st Dec'r, by John McNeill, Esq., Dr. WILLIAM ARNOLD to Miss MARY ANN McINTOSH. All of Moore.

Town papers copy.

DIED,

At Carbonton, Moore co., on Monday night, Dec'r 6th, ROBERT AUSTIN, son of R. A. and Catharine Stuart, aged 5 months and 10 days.

In Charleston, on the 8th inst., Mrs. MARIA COGDELL, relict of John S. Cogdell, (sister of the Rev'd Adam Gilchrist of this town,) in the 74th year of her age.

In Franklin county, on the 5th inst. JOHN D. HAWKINS, Esq., in his 78th year.

FAYETTEVILLE MARKET.—December 13.

BACON—	12	a 12½	American	6	a 0
BEESWAX—	25	a 00	English	4	a 0
CANDLES-F. F.	20	a 00	LARD—	13	a 14
Adamantine	28	a 32	LEAD—	8	8½
Sperm	00	a 00	MOLASSES—		
COFFEE—Rio	12½	a 13½	Cuba	30	a 31
Laguira	15	a 16	N. Orleans,	45	a 50
Java	20	a 00	NAILS—	4½	a 5
COTTON—			OIL—Linseed	1 00	a 0 00
Fair to good,	10½	a 10¾	Tanner's	0 70	a 1 00
Ordin. to mid.		a	SALT—		
COTTON BAGGING—			Liv. Sack,	1 50	a 0 00
Gunny,	18	a 20	Alum	0 60	a 0 00
Dundee,	18	a 20	FLAXSEED	1 00	a 0 00
COTTON YARN—			SHOT—		
No. 5 to 10	20	a 00	Com. pr bag	2 25	a 0 00
DOMESTIC GOODS—			Buck	2 25	a 2 50
Brown Sheetings	8½	a 0	SPIRITS—		
Osnaburgs	10½	a 00	P. Brandy,	1 00	a 0 00
FEATHERS—	35	a 40	N. C. Apple	0 70	a 0 00
FLOUR—			Northern do.	0 70	a 0 80
Family,	5 37	a 5 50	N. C. Whiskey	50	a 0 55
Super.	5 25	a 0 00	Northern do.	35	a 0 00
Fine,	5 00	a 0 00	SUGARS—		
Scratchsd,	4 75	a 0 00	Loaf	15	a 00
GRAIN—			Crushed	13	a 13½
Corn,	80	a 90	Coffee	10	a 11½
Wheat,	95	a 0 00	Porto Rico	10	a 00
Rye,	90	a 1 00	New Orleans	00	a 00
Oats,	60	0 a 0 00	TALLOW—	10	a 00
Peas,	0 75	a 0	WOOL—	18	a 19
HIDES—Dry	8	a 10	TURPENTINE—		
Green	5	a 6	Yellow dip,	2 30	a 0 00
IRON—			Virgin,	2 30	a 0 00
Swedes, com. bar	6½	a 0	Hard,	1 80	a 0 00
Ditto, wide	7½	a 0	Spirits,	41	a 42
PERUVIAN GUANO—					
5 tons and upwards,			$65 per ton,		
A less quantity,			70 " "		of 2000 lbs.

REVIEW OF THE MARKET.

Cotton—Since Monday last we reduce our figures full one cent.

Flour—No change.

Oats—In demand.

Corrected by JAMES G. COOK.

WILMINGTON MARKET.—Dec. 11, 1858.

Turpentine, Virgin and Yellow 2 80, Hard 1 75. Spirits 44. No. 1 Rosin $2 to $8; Common 1 10. Flour, Super 5 50, Cross $5.

At New York, middling uplands Cotton 11⅞. Spirits 48 to 48½.

A Meeting will be held on Friday evening, the 17th inst., at 6½ o'clock, at the School Room of Mr. Thos. Evans on Dick Street, for the purpose of organizing a YOUNG MEN'S CHRISTIAN ASSOCIATION. All who approve of the object are invited to attend.
Dec. 12. 71-2t

Miss R. A. Hodges will commence the Second Quarter of her SCHOOL on Monday, Dec'r 13th, at the residence of Mrs. E. C. Hall, on Haymount.
Dec. 9, 1858. 71-2t

CARTHAGE INSTITUTE.

THE next Session will commence on the 2d Monday in January. The course of instruction embraces the studies preparatory to the different Colleges in the State, and such other branches also as those not expecting to take a classical course may prefer. Thorough mental training, with moral and physical culture, is our constant aim. Genuine scholarship, which alone is valuable, consists of what has been LEARNED, not what has been RUN OVER; hence no pupil is allowed to advance from one branch to another, especially from the Common English to Latin and Greek, till a high degree of proficiency is attained. Special attention is given to the Elementary Branches, and also to the preparation of young men to teach the Common Schools: And to such of these as are of good moral character and studious habits, reasonable indulgence for payment of tuition will be given if desired. The location is proverbial for its healthfulness and society is good. Board in good families in and near the village at from $7 to $9 per month. Tuition $8, $12 50 and $17 50 according to advancement, with a contingent fee of fifty cents per scholar. No deduction for absence, except from unavoidable causes. Students charged from time of entering till end of session.
C. DOWD, Principal.
Carthage, Dec'r 7, 1858. 71*4t

OXFORD
Classical and Mathematical
SCHOOL, Oxford, N. C.
J. H. HORNER, Principal.
Rev. T. J. HORNER, Assistant.
THE next Session opens the second Monday in January. Board and Tuition as heretofore, $90 per session.
Oxford, N. C., Dec'r 6, 1858. 71-ttpd

HAYWOOD
Male and Female Academies.
THE Fourth Session will commence the second Monday in January next.
In the Male Academy the terms are—

Primary English,	$12
More advanced,	16
Latin, Greek and higher branches of Mathematics,	25

And in the Female Academy as heretofore.
Board, including lights and washing, $8 per month.
A. R. BLACK,
Principal Male Academy
P. C. SHAW,
Principal Female Academy.
Dec'r 12. 71*4t

BUCKWHEAT FLOUR.
100 BAGS, for sale by
W. H. CARVER.

20 KITS MACKEREL,
FOR sale by
W. H. CARVER.

Seed Oats and Irish Potatoes by
W. H. CARVER.

Cranberries and Dried Plums.
JUST Received and for sale by
W. H. CARVER.
Dec. 13, 1858. 71-3t

MORE GOODS.
DRIED FIGS, COOKING PRUNES,
SEEDLESS RAISINS,
LEMONS, DATES, &c.
Just received and for sale by
MRS. M. BANKS.
Dec'r 11. 71-2w

NEGROES FOR HIRE.
THE undersigned has several Negroes for hire for the next year, consisting of Men, Women, Boys and Girls. Some children large enough to be useful, and some women and children would be hired to good places for their board and clothing.
E. J. LILLY.
Dec'r 10. 71*2t
Carolinian copy.

LAND FOR SALE.
THE subscriber will offer for sale, on the 23d inst., one Tract of Land in Robeson County, in one mile of St. Paul's, containing ONE HUNDRED ACRES—thirty acres of which are cleared. It is in a good state of cultivation. There is a common Dwelling and all necessary out-houses on it, and a good well of water. At the same time I will sell my crop of Corn and Fodder, several fat Hogs, one Horse, Saddle and Bridle, &c. JAMES L. CRAWFORD.
Dec'r 10. 1tpd

525 ACRES OF LAND FOR SALE.
THE subscriber having determined to move West offers for sale the valuable Tract of Land on which he now lives, containing five hundred and twenty-five acres, located on Ashpole Swamp, in the vicinity of Alfordsville, in a moral, intelligent and healthy community. The land is well adapted to the growth of cotton, corn, &c., one hundred and seventy-five acres of which is cleared and in a high state of cultivation. There is on it a fine Dwelling, with all necessary out-houses; also, a good Cotton Gin and Screw Press. Churches and schools convenient. Those wishing to buy would do well to call and examine for themselves,—a bargain may be had. For sale until sold. WILEY ALFORD.
Alfordsville, Robeson co., N. C., Dec'r 10. [71*5t

SERVANTS WANTED.
I WISH to hire for the ensuing year, a COOK and a HOUSEMAID. S. J. HINSDALE.
Dec'r 13. 71-2t

VALUABLE PROPERTY
AT AUCTION.
ON Wednesday, January 12th, at 12 o'clock, at the Market House, I will offer for sale the late residence of Robert Johnson, (on Haymount.) The lot contains about two acres.
Terms:—approved negotiable notes at 90 days.
SAM'L J. HINSDALE, Trustee.
Dec'r 13. 71-ts
Presbyterian copy.

TRUST SALE.
BY virtue of a Deed of Trust, made by Jas G. Cook, I shall proceed to sell all his Stock of Goods on Wednesday, 15th inst., at his Store. At the same time, one horse, 2 wagons, 1 Buggy and 1 Rockaway.
All persons indebted to Mr. Cook, are earnestly requested at an early day, to call and settle.
Terms made known at sale.
SAMPSON BOON, Trustee.
Fayetteville, Dec. 11, 1858. 71-1t.

TAKE PARTICULAR NOTICE.
THE subscriber begs leave to call the attention of his friends and the Public generally that he wishes to change his business, and desires them to call as great bargains can be had either at retail or closing out the whole Stock.
P. S. All persons indebted either by Note or Account are hereby Notified to call and settle.
A HOLMES, Jr.
Fayetteville, N. C. Dec. 11, 1858. 71-3t.

NOTICE TO TEACHERS
of Common Schools in Cumberland Co.
AN examination of Teachers of Common Schools in Cumberland County will be held at the District School House on Gillespie Street, in Fayetteville, on Saturday 18th inst., commencing at 10 o'clock, A. M.
A. M. CAMPBELL,
J. G. AREY,
J. W. BAKER,
W. A. HUSKE,
J. T. WARDEN,
Examining Committee.
Dec. 11. 71-td

WINES, LIQUORS, &c.,
For Medical Use.
PURE FRENCH BRANDY;
Old Holland Gin;
" Port Wine;
Golden Sherry;
Old Madeira;
Claret;
Byass's Porter, Qts. and Pts.:
Younger's Scotch Ale, Stone Jugs;
Lucca Oil, (salad.)
For sale by JAS. N. SMITH, Druggist.
Dec'r 10. 71itf

QUERU'S COD LIVER OIL JELLY;
Churchill's Syr. Hyphophosphites;
Cinnamon; Mace; Cloves; Spice;
Mustard; Pepper; Nutmegs; &c.
For sale by JAS. N. SMITH.
Dec'r 10. 71itf

FOR RENT,
THE OFFICE on Old street, nearly opposite the residence of Miss Bingham.
Apply to Mrs. J. W. Evans or J. E. Bryan.
Dec. 8, 1858. 71-2t.

N. A. McLEAN,
Attorney at Law,
LUMBERTON, N. C.,
WILL attend the County and Superior Courts of Robeson, Richmond and Bladen Counties, and the Superior Courts of Moore County
Dec'r 9. 71-3m
Presbyterian and Carolinian 1mo. each and forward acc't.

NEGROES FOR SALE.
ON the 29th day of December, 1858, at the residence of the late Hugh McLauchlin, dec'd, I will sell SIX LIKELY NEGROES, viz: Margaret, Adam, Tom, Martine, Billy and Angus, on a credit of Six months.
D. J. GILCHRIST,
Commissioner.
Robeson County, Dec. 6, 1858. 71-tf

FOR SALE.
TWO good four-horse ROAD WAGONS. One nearly new, the other half worn. For terms apply to Geo. W. Williams & Co.
I. H. FOUST.
Dec. 8, 1858. 71-3t

25 DOLLARS REWARD,
WILL be paid for proof against the person who took my Mare from Bethlehem Church, on the 28th November last.
JOSEPH T. MELVIN.
Bladen Co., N. C., Dec. 4, 1858. 71-3m

PETER COOPER'S
REFINED
Sheet and Shred Isinglass.
A PRIME ARTICLE.
Very extensively used for
BLANC MANGE, TABLE AND WINE JELLIES.
And for Jellifying Preserves.
The Shred, with directions for using, is put in small packages for Family Use, and is sold by all the principal Grocers and Druggists throughout the U. S.
PETER COOPER, 17 Burling Slip, New-York.
Dec'r 10 71*3mpd

PRESIDENT'S MESSAGE.

Fellow-citizens of the Senate
and House of Representatives:

When we compare the condition of the country at the present day with what it was one year ago, at the meeting of Congress, we have much reason for gratitude to that Almighty Providence, which has never failed to interpose for our relief, at the most critical periods of our history. One year ago, the sectional strife between the North and the South on the dangerous subject of slavery, had again become so intense as to threaten the peace and perpetuity of the confederacy. The application for the admission of Kansas as a State into the Union, fostered this unhappy agitation, and brought the whole subject once more before Congress. It was the desire of every patriot that such measures of legislation might be adopted, as would remove the excitement from the States, and confine it to the Territory where it legitimately belonged. Much has been done, I am happy to say, towards the accomplishment of this object, during the last session of Congress.

The Supreme Court of the U. S had previously decided, that all American citizens have an equal right to take into the Territories, whatever is held as property under the laws of any of the States, and to hold such property there under the guardianship of the federal constitution, so long as the territorial condition shall remain.

This is now a well-established position, and the proceedings of the last session were alone wanting to give it practical effect. The principle has been recognised, in some form or other, by an almost unanimous vote of both Houses of Congress, that a territory has a right to come into the Union either as a free or a slave State, according to the will of a majority of its people. The just equality of all the States has thus been vindicated, and a fruitful source of dangerous dissension among them has been removed.

Whilst such has been the beneficial tendency of your legislative proceedings outside of Kansas, their influence has nowhere been so happy as within that Territory itself. Left to manage and control its own affairs in its own way, without the pressure of external influence, the revolutionary Topeka organization and all resistance to the territorial government established by Congress, have been finally abandoned. As a natural consequence, that fine Territory now appears to be tranquil and prosperous, and is attracting increasing thousands of immigrants to make it their happy home.

The past unfortunate experience of Kansas has enforced the lesson so often already taught, that resistance to lawful authority, under our form of government, cannot fail in the end to prove disastrous to its authors. Had the people of the Territory yielded obedience to the laws enacted by their legislature, it would at the present moment have contained a large additional population of industrious and enterprising citizens, who have been deterred from entering its borders by the existence of civil strife and organized rebellion.

It was the resistance to rightful authority and the persevering attempts to establish a revolutionary government under the Topeka constitution, which caused the people of Kansas to commit the grave error of refusing to vote for delegates to the convention to frame a constitution, under a law not denied to be fair and just in its provisions. This refusal to vote has been the prolific source of all the evils which have followed. In their hostility to the territorial government, they disregarded the principle, absolutely essential to the working of our form of government, that a majority of those who vote—not the majority who may remain at home, from whatever cause—must decide the result of an election. For this reason, seeking to take advantage of their own error, they denied the authority of the convention thus elected to frame a constitution.

The convention, notwithstanding, proceeded to adopt a constitution unexceptionable in its general features, and providing for the submission of the slavery question to a vote of the people, which, in my opinion, they were bound to do, under the Kansas and Nebraska act. This was the all-important question which had alone convulsed the Territory; and yet the opponents of the lawful government, persisting in their first error, refrained from exercising their right to vote, and preferred that slavery should continue, rather than surrender their revolutionary Topeka organization.

A wiser and better spirit seemed to prevail before the first Monday of January last, when an election was held under the constitution. A majority of the people then voted for a governor and other State officers, for a member of Congress, and members of the State legislature. This election was warmly contested by the two political parties in Kansas, and a greater vote was polled than at any previous election. A large majority of the members of the legislature elect belonged to that party which had previously refused to vote. The anti-slavery party were thus placed in the ascendant, and the political power of the State was in their own hands. Had Congress admitted Kansas into the Union under the Lecompton constitution, the legislature might, at its very first session, have submitted the question to a vote of the people whether they would or would not have a convention to amend their constitution either on the slavery or any other question, and have adopted all necessary means for giving speedy effect to the will of the majority. Thus the Kansas question would have been immediately and finally settled.

Under these circumstances, I submitted to Congress the constitution thus framed, with all the officers already elected necessary to put the State government into operation, accompanied by a strong recommendation in favor of the admission of Kansas as a State. In the course of my long public life I have never performed any official act which, in the retrospect, has afforded me more heartfelt satisfaction. Its admission could have inflicted no possible injury on any human being, whilst it would, within a brief period, have restored peace to Kansas and harmony to the Union. In that event, the slavery question would ere this have been finally settled, according to the legally-expressed will of a majority of the voters, and popular sovereignty would thus have been vindicated in a constitutional manner.

With my deep convictions of duty, I could have pursued no other course. It is true, that, as an individual, I had expressed an opinion both before and during the session of the convention, in favor of submitting the remaining clauses of the constitution, as well as that concerning slavery, to the people. But, acting in an official character, neither myself nor any human authority had the power to rejudge the proceedings of the convention, and declare the constitution which it had framed to be a nullity. To have done this would have been a violation of the Kansas and Nebraska act, which left the people of the Territory "perfectly free to form and regulate their domestic institutions in their own way, subject only to the constitution of the U. S." It would equally have violated the great principle of popular sovereignty, at the foundation of our institutions, to deprive the people of the power, if they thought proper to exercise it, of confiding to delegates elected by themselves the trust of framing a constitution, without requiring them to subject their constituents to the trouble, expense and delay of a second election. It would have been in opposition to many precedents in our history, commencing in the very best age of the republic, of the admission of Territories as States into the Union, without a previous vote of the people approving their constitution.

It is to be lamented that a question so insignificant when viewed in its practical effects on the people of Kansas, whether decided one way or the other, should have kindled such a flame of excitement throughout the country. This reflection may prove to be a lesson of wisdom and of warning for our future guidance. Practically considered, the question is simply whether the people of that Territory should first come into the Union and then change any provision in their constitution not agreeable to themselves, or accomplish the very same object by remaining out of the Union and framing another constitution in accordance with their will? In either case, the result would be precisely the same. The only difference in point of fact is, that the object would have been much sooner attained, and the pacification of Kansas more speedily effected, had it been admitted as a State during the last session of Congress.

My recommendation, however, for the immediate admission of Kansas, failed to meet the approbation of Congress. They deemed it wiser to adopt a different measure for the settlement of the question. For my own part, I should have been willing to yield my assent to almost any constitutional measure to accomplish this object. I, therefore, cordially acquiesced in what has been called the English Compromise, and approved the "Act for the admission of the State of Kansas into the Union" upon the terms therein prescribed.

Under the ordinance which accompanied the Lecompton constitution, the people of Kansas had claimed double the quantity of public lands for the support of common schools, which had ever been previously granted to any State upon entering the Union; and also the alternate sections of land for twelve miles on each side of two railroads, proposed to be constructed from the northern to the southern boundary, and from the eastern to the western boundary of the State. Congress, deeming these claims unreasonable, provided by the act of May 4, 1858, to which I have just referred, for the admission of the State on an equal footing with the original States, but "upon the fundamental condition precedent" that a majority of the people thereof, at an election to be held for that purpose, should, in place of the very large grants of public lands which they had demanded under the ordinance, accept such grants as had been made to Minnesota and other new States. Under this act, should a majority reject the proposition offered them, "it shall be deemed and held that the people of Kansas do not desire admission into the Union with said constitution under the conditions set forth in said proposition." In that event, the act authorizes the people of the Territory to elect delegates to form a constitution and State government for themselves, "whenever, and not before, it is ascertained by a census, duly and legally taken, that the population of said Territory equals or exceeds the ratio of representation required for a member of the House of Representatives of the Congress of the United States." The delegates thus assembled "shall first determine by a vote whether it is the wish of the people of the proposed State to be admitted into the Union at that time, and, if so, shall proceed to form a constitution, and take all necessary steps for the establishment of a State Government in conformity with the federal constitution." After this constitution shall have been formed, Congress, carrying out the principles of popular sovereignty and non-intervention, have left "the mode and manner of its approval or ratification by the people of the proposed State" to be "prescribed by law," and they "shall then be admitted into the Union as a State under such constitution thus fairly and legally made, with or without slavery, — said constitution may prescribe."

An election was held throughout Kansas, in pursuance of the provisions of this act, on the second day of August last, and it resulted in the rejection, by a large majority, of the proposition submitted to the people by Congress. This being the case, they are now authorized to form another constitution, preparatory to admission into the Union, but not until their number, as ascertained by a census, shall equal or exceed the ratio required to elect a member to the House of Representatives.

It is not probable in the present state of the case, that a third constitution can be lawfully framed and presented to Congress by Kansas, before its population shall have reached the designated number. Nor is it to be presumed that, after their sad experience in resisting the territorial laws, they will attempt to adopt a constitution in express violation of the provisions of an act of Congress. During the session of 1856, much of the time of Congress was occupied on the question of admitting Kansas under the Topeka constitution. Again, nearly the whole of the last session was devoted to the question of its admission under the Lecompton constitution. Surely it is not unreasonable to require the people of Kansas to wait, before making a third attempt, until the number of their inhabitants shall amount to 93,420. During this brief period the harmony of the States, as well as the great business interests of the country, demand that the people of the Union shall not for a third time be convulsed by another agitation on the Kansas question. By waiting for a short time, and acting in obedience to law, Kansas will glide into the Union without the slightest impediment.

This excellent provision, which Congress have applied to Kansas, ought to be extended and rendered applicable to all Territories which may hereafter seek admission into the Union.

Whilst Congress possess the undoubted power of admitting a new State into the Union, however small may be the number of its inhabitants, yet this power ought not, in my opinion, to be exercised before the population shall amount to the ratio required by the act for the admission of Kansas. Had this been previously the rule, the country would have escaped all the evils and misfortunes to which it has been exposed by the Kansas question.

Of course, it would be unjust to give this rule a retrospective application, and exclude a State which, acting upon the past practice of the government, has already formed its constitution, elected its legislature and other officers, and is now prepared to enter the Union.

The rule ought to be adopted, whether we consider its bearing on the people of the Territories or upon the people of the existing States. Many of the serious dissensions which have prevailed in Congress and throughout the country, would have been avoided, had this rule been established at an earlier period of the government.

Immediately upon the formation of a new Territory, people from different States and from foreign countries rush into it, for the laudable purpose of improving their condition. Their first duty to themselves is to open and cultivate farms, to construct roads, to establish schools, to erect places of religious worship, and to devote their energies generally to reclaim the wilderness and to lay the foundation of a flourishing and prosperous commonwealth. If, in this incipient condition, with a population of a few thousand, they should prematurely enter the Union, they are oppressed by the burden of State taxation, and the means necessary for the improvement of the Territory and the advancement of their own interests, are thus diverted to very different purposes.

The federal government has ever been a liberal parent to the Territories, and a generous contributor to the useful enterprises of the early settlers. It has paid the expenses of their governments and legislative assemblies out of the common treasury, and thus relieved them from a heavy charge. Under these circumstances, nothing can be better calculated to retard their material progress, than to divert them from their useful employments, by prematurely exciting angry political contests among themselves, for the benefit of aspiring leaders. It is surely no hardship for embryo governors, senators, and members of Congress, to wait until the number of inhabitants shall equal those of a single congressional district. They surely ought not to be permitted to rush into the Union, with a population less than one-half of several of the large counties in the interior of some of the States. This was the condition of Kansas when it made application to be admitted under the Topeka constitution. Besides, it requires some time to render the mass of a population collected in a new Territory, at all homogeneous, and to unite them on anything like a fixed policy. Establish the rule, and all will look forward to it and govern themselves accordingly.

But justice to the people of the several States requires that this rule should be established by Congress. Each State is entitled to two senators and at least one representative in Congress. Should the people of the States fail to elect a Vice President, the power devolves upon the Senate, to select this officer from the two highest candidates on the list. In case of the death of the President, the Vice President, thus elected by the Senate, becomes President of the United States. On all questions of legislation, the senators from the smallest States of the Union have an equal vote with those from the largest. The same may be said in regard to the ratification of treaties, and of Executive appointments. All this has worked admirably in practice, whilst it conforms in principle with the character of a government instituted by sovereign States. I presume no American citizen would desire the slightest change in the arrangement. Still, is it not unjust and unequal to the existing States to invest some forty or fifty thousand people collected in a Territory with the attributes of sovereignty, and place them on an equal footing with Virginia and New York in the Senate of the United States?

For these reasons, I earnestly recommend the passage of a general act, which shall provide that upon the application of a territorial legislature, declaring their belief that the Territory contains a number of inhabitants which, if in a State, would entitle them to elect a member of Congress, it shall be the duty of the President to cause a census of the inhabitants to be taken, and if found sufficient, then by the terms of this act to authorize them to proceed "in their own way" to frame a State constitution preparatory to admission into the Union. I also recommend that an appropriation may be made, to enable the President to take a census of the people of Kansas.

The present condition of the Territory of Utah, when contrasted with what it was one year ago, is a subject for congratulation. It was then in a state of open rebellion, and, cost what it might, the character of the government required, that this rebellion should be suppressed and the Mormons compelled to yield obedience to the constitution and the laws. In order to accomplish this object as I informed you in my last annual message, I appointed a new governor instead of Brigham Young, and other federal officers to take the place of those who, consulting their personal safety, had found it necessary to withdraw from the Territory. To protect these civil officers, and to aid them, as a *posse comitatus*, in the execution of the laws in case of need, I ordered a detachment of the army to accompany them to Utah. The necessity for adopting these measures is now demonstrated.

On the 15th Sept. 1857, Gov. Young issued his proclamation, in the style of an independent sovereign, announcing his purpose to resist by force of arms the entry of the U S troops into our own Territory of Utah. By this he required all the forces in the Territory to "hold themselves in readiness to march at a moment's notice to repel any and all such invasion," and established martial law from its date throughout the Territory. These proved to be no idle threats. Forts Bridger and Supply were vacated and burnt down by the Mormons, to deprive our troops of a shelter after their long and fatiguing march. Orders were issued by D. H. Wells, styling himself "Lieut General, Nauvoo Legion," to stampede the animals of the U S troops on their march, to set fire to their trains, to burn the grass and the whole country before them and on their flanks, to keep them from sleeping by night surprises, and to blockade the road by felling trees and destroying the fords of rivers, &c. &c. &c.

These orders were promptly and effectually obeyed. On the 4th October 1857, the Mormons captured and burned on Green river, three of our supply trains, consisting of 75 wagons loaded with provisions and tents for the army, and drove away several hundred animals. This diminished the supply of provisions so materially that Gen. Johnston was obliged to reduce the ration, and even with this precaution there was only sufficient left to subsist the troops till the 1st of June.

Our little army behaved admirably in their encampment at Fort Bridger, under these trying privations. In the midst of the mountains, in a dreary, unsettled, and inhospitable region, more than 1000 miles from home, they passed the severe and inclement winter without a murmur. They looked forward with confidence for relief from their country in due season, and in this they were not disappointed.

The Sec'y of War employed all his energies to forward them the necessary supplies, and to muster and send such a military force to Utah as would render resistance on the part of the Mormons hopeless, and thus terminate the war without the effusion of blood. In his efforts he was efficiently sustained by Congress.—They granted appropriations sufficient to cover the deficiency thus necessarily created, and also provided for raising two regiments of volunteers, "for the purpose of quelling disturbances in the Territory of Utah, for the protection and supply of emigrant trains, and the suppression of Indian hostilities on the frontiers."—Happily, there was no occasion to call these regiments into service. If there had been, I should have felt serious embarrassment in selecting them, so great was the number of our brave and patriotic citizens anxious to serve their country in this distant and apparently dangerous expedition. Thus it has ever been, and thus may it ever be!

The wisdom and economy of sending sufficient reinforcements to Utah are established not only by the event, but in the opinion of those who, from their position and opportunities, are the most capable of forming a correct judgment. Gen. Johnston, the commander of the forces, in addressing the Se'y of War from Fort Bridger, under date of Oct 18, 1857, expresses the opinion that "unless a large force is sent here, from the nature of the country, a protracted war on their [the Mormons] part is inevitable." This he considered necessary, to terminate the war "speedily and more economically than if attempted by insufficient means."

In the mean time, it was my anxious desire that the Mormons should yield obedience to the constitution and the laws, without rendering it necessary to resort to military force. To aid in accomplishing this object, I deemed it advisable in April last, to despatch two distinguished citizens of the U. S., Messrs Powell and McCulloch, to Utah. They bore with them a proclamation addressed by myself to the inhabitants of Utah, dated on the 6th day of that month, warning them of their true condition, and how hopeless it was on their part to persist in rebellion against the U. S., and offering all those who should submit to the laws a full pardon for their past seditions and treasons. At the same time, I assured those who should persist in rebellion against the U. S., that they must expect no further lenity, but look to be rigorously dealt with according to their deserts. The instructions to these agents, as well as a copy of the proclamation, and their reports, are herewith submitted. It will be seen by their report of the 3d of July last, that they have fully confirmed the opinion expressed by Gen. Johnston in the previous October, as to the necessity of sending reinforcements to Utah. In this they state, that they "are firmly impressed with the belief that the presence of the army here and the large additional force that had been ordered to this Territory, were the chief inducements that caused the Mormons to abandon the idea of resisting the authority of the U. S. A less decisive policy would probably have resulted in a long, bloody, and expensive war."

These gentlemen conducted themselves to my entire satisfaction, and rendered useful services in executing the humane intentions of the government.

It also affords me great satisfaction to state, that Gov. Cumming has performed his duty in an able and conciliatory manner, and with the happiest effect. I cannot, in this connexion, refrain from mentioning the valuable services of Col. Thos L. Kane, who, from motives of pure benevolence, and without any official character or pecuniary compensation, visited Utah during the last inclement winter, for the purpose of contributing to the pacification of the Territory.

I am happy to inform you, that the governor and other civil officers of Utah, are now performing their appropriate functions without resistance. The authority of the constitution and the laws has been fully restored, and peace prevails throughout the Territory.

A portion of the troops sent to Utah are now encamped in Cedar valley, 44 miles southwest of Salt Lake City, and the remainder have been ordered to Oregon to suppress Indian hostilities.

The march of the army to Salt Lake City, through the Indian Territory, has had a powerful effect in restraining the hostile feelings against the U. S., which existed among the Indians in that region, and in securing emigrants to the Far West against their depredations. This will also be the means of establishing military posts and promoting settlements along the route.

I recommend that the benefits of our land laws and pre-emption system be extended to the people of Utah, by the establishment of a land office in that Territory.

I have occasion, also, to congratulate you on the result of our negotiations with China.

You were informed by my last annual message, that our minister had been instructed to occupy a neutral position in the hostilities conducted by Great Britain and France against Canton. He was, however, at the same time, directed to co-operate cordially with the British and French ministers, in all peaceful measures to secure by treaty those just concessions to foreign commerce, which the nations of the world had a right to demand. It was impossible for me to proceed further than this, on my own authority, without usurping the war-making power, which, under the constitution, belongs exclusively to Congress.

Besides, after a careful examination of the nature and extent of our grievances, I did not believe they were of such a pressing and aggravated character, as would have justified Congress in declaring war against the Chinese empire, without first making another earnest attempt to adjust them by peaceful negotiation. I was the more inclined to this opinion, because of the severe chastisement which had then but recently been inflicted upon the Chinese by our squadron, in the capture and destruction of the Barrier forts, to avenge an alleged insult to our flag.

The event has proved the wisdom of our neutrality. Our minister has executed his instructions with eminent skill and ability. In conjunction with the Russian plenipotentiary, he has peacefully co-operated with the English and French plenipotentiaries; and each of the four powers has concluded a separate treaty with China, of a highly satisfactory character. The treaty concluded by our own plenipotentiary will immediately be submitted to the Senate.

I am happy to announce that, through the energetic yet conciliatory efforts of our consul general in Japan, a new treaty has been concluded with that empire, which may be expected materially to augment our trade and intercourse in that quarter, and remove from our countrymen the disabilities which have heretofore been imposed upon the exercise of their religion. The treaty shall be submitted to the Senate for approval without delay.

It is my earnest desire that every misunderstanding with the government of Great Britain, should be amicably and speedily adjusted. It has been the misfortune of both countries, almost ever since the period of the revolution, to have been annoyed by a succession of irritating and dangerous questions, threatening their friendly relations. This has partially prevented the full development of those feelings of mutual friendship between the people of the two countries, so natural in themselves and so conducive to their common interest. Any serious interruption of the commerce between the U. S. and Great Britain, would be equally injurious to both. In fact, no two nations have ever existed on the face of the earth, which could do each other so much good or so much harm.

Entertaining these sentiments, I am gratified to inform you that the long-pending controversy between the two governments, in relation to the question of visitation and search, has been amicably adjusted. The claim on the part of Great Britain, forcibly to visit American vessels on the high seas in time of peace, could not be sustained under the law of nations, and it had been overruled by her own most eminent jurists. This question was recently brought to an issue, by the repeated acts of British cruisers, in boarding and searching our merchant vessels in the Gulf of Mexico and the adjacent seas. These acts were the more injurious and annoying, as these waters are traversed by a large portion of the commerce and navigation of the U. S., and their free and unrestricted use is essential to the security of the coastwise trade between different States of the Union. Such vexatious interruptions could not fail to excite the feelings of the country, and to require the interposition of the government. Remonstrances were addressed to the British government against these violations of our rights of sovereignty, and a naval force was at the same time ordered to the Cuban waters, with directions "to protect all vessels of the U. S. on the high seas, from search or detention by the vessels-of-war of any other nation." These measures received the unqualified and even enthusiastic approbation of the American people. Most fortunately, however, no collision took place, and the British government promptly avowed its recognition of the principles of international law upon this subject, as laid down by the government of the U. S., in the note of the Secretary of State to the British minister at Washington, of April 10, 1858, which secure the vessels of the U. S. upon the high seas from visitation or search in time of peace, under any circumstances whatever. The claim has been abandoned in a manner reflecting honor on the British government, and evincing a just regard for the law of nations, and cannot fail to strengthen the amicable relations between the two countries.

The British government, at the same time, proposed to the U. S. that some mode should be adopted, by mutual arrangement between the two countries, of a character which may be found effective without being offensive, for verifying the nationality of vessels suspected on good grounds of carrying false colors. They have also invited the U. S to take the initiative, and propose measures for this purpose. Whilst declining to assume so grave a responsibility, the Secretary of State has informed the British government that we are ready to receive any proposals which they may feel disposed to offer, having this object in view, and to consider them in an amicable spirit. A strong opinion is, however, expressed, that the occasional abuse of the flag of any nation, is an evil far less to be deprecated, than would be the establishment of any regulations which might be incompatible with the freedom of the seas. This government has yet received no communication specifying the manner in which the British government would propose to carry out their suggestion; and I am inclined to believe, that no plan which can be devised, will be free from grave embarrassments. Still, I shall form no decided opinion on the subject, until I shall have carefully and in the best spirit examined any proposals which they may think proper to make.

I am truly sorry I cannot also inform you that the complications between Great Britain and the U. S., arising out of the Clayton and Bulwer treaty of April 1850, have been finally adjusted.

At the commencement of your last session, I had reason to hope, that, emancipating themselves from further unavailing discussions, the two governments would proceed to settle the Central American questions in a practical manner, alike honorable and satisfactory to both; and this hope I have not yet abandoned. In my last annual message, I stated that overtures had been made by the British government for this purpose, in a friendly spirit, which I cordially reciprocated. Their proposal was, to withdraw these questions from direct negotiation between the two governments; but to accomplish the same object, by a negotiation between the British government and each of the Central American republics whose territorial interests are immediately involved. The settlement was to be made in accordance with the general tenor of the interpretation placed upon the Clayton and Bulwer treaty by the U. S., with certain modifications. As negotiations are still pending upon this basis, it would not be proper for me now to communicate their present condition. A final settlement of these questions is greatly to be desired, as this would wipe out the last remaining subject of dispute between the two countries.

Our relations with the great empires of France and Russia, as well as with all other governments on the continent of Europe, except that of Spain, continue to be of the most friendly character.

With Spain our relations remain in an unsatisfactory condition. In my message of December last, I informed you that our envoy extraordinary and minister plenipotentiary to Madrid had asked for his recall; and it was my purpose to send out a new minister to that court, with special instructions on all questions pending between the two governments, and with a determination to have them speedily and amicably adjusted, if that were possible. This purpose has been hitherto defeated by causes which I need not enumerate.

The mission to Spain has been intrusted to a distinguished citizen of Kentucky, who will proceed to Madrid without delay, and make another and a final attempt to obtain justice from that government.

Spanish officials, under the direct control of the captain-general of Cuba, have insulted our national flag, and, in repeated instances, have from time to time inflicted injuries on the persons and property of our citizens. These have given birth to numerous claims against the Spanish government, the merits of which have been ably discussed for a series of years, by our successive diplomatic representatives. Notwithstanding this, we have not arrived at a practical result in any single instance, unless we may except the case of the Black Warrior under the late administration; and that presented an outrage of such a character as would have justified an immediate resort to war. All our attempts to obtain redress have been baffled and defeated. The frequent and oft-recurring changes in the Spanish ministry, have been employed as reasons for delay. We have been compelled to wait, again and again, until the new minister shall have had time to investigate the justice of our demands.

Even what has been denominated "the Cuban claims," in which more than a hundred of our citizens are directly interested, have furnished no exception. These claims were for the refunding of duties unjustly exacted from American vessels at different custom-houses in Cuba, so long ago as the year 1844. The principles upon which they rest are so manifestly equitable and just, that after a period of nearly ten years, in 1851, they were recognized by the Spanish government. Proceedings were afterwards instituted to ascertain their amount, and this was finally fixed according to their own statement (with which we were satisfied) at the sum of $128,635 54. Just at the moment, after a delay of fourteen years, when we had reason to expect that this sum would be repaid with interest, we have received a proposal offering to refund one-third of that amount, ($42,878 41,) but without interest, if we would accept this in full satisfaction. The offer is also accompanied by a declaration that this indemnification is not founded on any reason of strict justice, but is made as a special favor.

One alleged cause for procrastination in the examination and adjustment of our claims, arises from an obstacle which it is the duty of the Spanish government to remove. Whilst the captain-general of Cuba is invested with general despotic authority in the government of that island, the power is withheld from him to examine and redress wrongs committed by officials under his control, on citizens of the U. S. Instead of making our complaints directly to him at Havana, we are obliged to present them through our minister at Madrid. These are then referred back to the captain-general for information; and much time is thus consumed in preliminary investigations and correspondence between Madrid and Cuba, before the Spanish government will consent to proceed to negotiation. Many of the difficulties between the two governments would be obviated, and a long train of negotiation avoided, if the captain-general were invested with authority to settle questions of easy solution on the spot, where all the facts are fresh, and could be promptly and satisfactorily ascertained. We have hitherto in vain urged upon the Spanish government, to confer this power upon the captain-general, and our minister to Spain will again be instructed to urge this subject on their notice. In this respect, we occupy a different position from the powers of Europe. Cuba is almost within sight of our shores; our commerce with it is far greater than that of any other nation, including Spain itself; and our citizens are in habits of daily and extended personal intercourse with every part of the island. It is, therefore, a great grievance that, when any difficulty occurs, no matter how unimportant, which might be readily settled at the moment, we should be obliged to resort to Madrid, especially when the very first step to be taken there is to refer it back to Cuba.

The truth is that Cuba, in its existing colonial condition, is a constant source of injury and annoyance to the American people. It is the only spot in the civilized world where the African slave trade is tolerated; and we are bound by treaty with Great Britain, to maintain a naval force on the coast of Africa, at much expense both of life and treasure, solely for the purpose of arresting slavers bound to that island. The late serious difficulties between the U. S. and G. Britain respecting the right of search, now so happily terminated, could never have arisen if Cuba had not afforded a market for slaves. As long as this market shall remain open, there can be no hope for the civilization of benighted Africa. Whilst the demand for slaves continues in Cuba, wars will be waged among the petty and barbarous chiefs in Africa, for the purpose of seizing subjects to supply this trade. In such a condition of affairs, it is impossible that the light of civilization and religion can ever penetrate these dark abodes.

It has been made known to the world by my predecessors, that the U. S. have, on several occasions, endeavored to acquire Cuba from Spain by honorable negotiation. If this were accomplished, the last relic of the African slave-trade would instantly disappear. We would not, if we could, acquire Cuba in any other manner. This is due to our national character. All the territory which we have acquired since the origin of the gov't, has been by fair purchase from France, Spain and Mexico, or by the free and voluntary act of the independent State of Texas, in blending her destinies with our own. This course we shall ever pursue, unless circumstances should occur, which we do not now anticipate, rendering a departure from it clearly justifiable, under the imperative and overruling law of self-preservation.

The Island of Cuba, from its geographical position, commands the mouth of the Mississippi, and the immense and annually-increasing trade, foreign and coastwise, from the valley of that noble river, now embracing half the sovereign States of the Union. With that Island under the dominion of a distant foreign power, this trade, of vital importance to these States, is exposed to the danger of being destroyed in time of war, and it has hitherto been subjected to perpetual injury and annoyance in time of peace. Our relations with Spain, which ought to be of the most friendly character, must always be placed in jeopardy, whilst the existing colonial government over the Island shall remain in its present condition.

Whilst the possession of the Island would be of vast importance to the U. S., its value to Spain is, comparatively, unimportant. Such was the relative situation of the parties, when the great Napoleon transferred Louisiana to the U. S. Jealous, as he ever was, of the national honor and interests of France, no person throughout the world, has imputed blame to him, for accepting a pecuniary equivalent for this cession.

The publicity which has been given to our former negotiations upon this subject, and the large appropriation which may be required to effect the purpose, render it expedient, before making another attempt to renew the negotiation, that I should lay the whole subject before Congress. This is especially necessary, as it may become indispensable to success, that I should be intrusted with the means of making an advance to the Spanish government immediately after the signing of the treaty, without awaiting the ratification of it by the Senate. I am encouraged to make this suggestion, by the example of Mr. Jefferson previous to the purchase of Louisiana from France, and by that of Mr. Polk in view of the acquisition of territory from Mexico. I refer the whole subject to Congress, and commend it to their careful consideration.

I repeat the recommendation made in my message of Dec'r last, in favor of an appropriation "to be paid to the Spanish government for the purpose of distribution among the claimants in the Amistad case." President Polk first made a similar recommendation in Dec. 1847, and it was repeated by my immediate predecessor in Dec. 1853. I entertain no doubt that indemnity is fairly due to these claimants under our treaty with Spain of the 27th Oct. 1795; and whilst demanding justice we ought to do justice. An appropriation promptly made for this purpose, could not fail to exert a favorable influence on our negotiations with Spain.

Our position in relation to the independent States south of us on this continent, and especially those within the limits of N. America, is of a peculiar character. The northern boundary of Mexico is coincident with our own southern boundary from ocean to ocean: and we must necessarily feel a deep interest in all that concerns the well-being and the fate of so near a neighbor. We have always cherished the kindest wishes for the success of that republic, and have indulged the hope that it might at last, after all its trials, enjoy peace and prosperity under a free and stable government. We have never hitherto interfered, directly or indirectly, with its internal affairs, and it is a duty which we owe to ourselves, to protect the integrity of its territory, against the hostile interference of any other power. Our geographical position, our direct interest in all that concerns Mexico, and our well-settled policy in regard to the North American continent, render this an indispensable duty.

Mexico has been in a state of constant revolution, almost ever since it achieved its independence. One military leader after another has usurped the government in rapid succession; and the various constitutions from time to time adopted, have been set at naught almost as soon as they were proclaimed. The successive governments have afforded no adequate protection, either to Mexican citizens or foreign residents, against lawless violence. Heretofore, a seizure of the capital by a military chieftain, has been generally followed by at least the nominal submission of the country to his rule for a brief period, but not so at the present crisis of Mexican affairs. A civil war has been raging for some time throughout the republic, between the central government at the city of Mexico, which has endeavored to subvert the constitution last framed, by military power, and those who maintain the authority of that constitution. The antagonist parties each hold possession of different States of the republic, and the fortunes of the war are constantly changing. Meanwhile, the most reprehensible means have been employed by both parties to extort money from foreigners, as well as natives, to carry on this ruinous contest. The truth is, that this fine country, blessed with a productive soil and a benign climate, has been reduced by civil dissension to a condition of almost hopeless anarchy and imbecility. It would be vain for this government to attempt to enforce payment in money of the claims of American citizens, now amounting to more than $10,000,000, against Mexico, because she is destitute of all pecuniary means to satisfy these demands.

Our late minister was furnished with ample powers and instructions for the adjustment of all pending questions with the central government of Mexico, and he performed his duty with zeal and ability. The claims of our citizens, some of them arising out of the violation of an express provision of the treaty of Guadalupe Hidalgo, and others from gross injuries to persons as well as property, have remained unredressed and even unnoticed. Remonstrances against these grievances have been addressed without effect to that government. Meantime, in various parts of the republic, instances have been numerous of the murder, imprisonment, and plunder of our citizens, by different parties claiming and exercising a local jurisdiction: but the central government, although repeatedly urged thereto, have made no effort either to punish the authors of these outrages or to prevent their recurrence. No American citizen can now visit Mexico on lawful business, without imminent danger to his person and property. There is no adequate protection to either; and in this respect our treaty with that republic is almost a dead letter.

This state of affairs was brought to a crisis in May last, by the promulgation of a decree levying a contribution *pro rata* upon all the capital in the republic, between certain specified amounts, whether held by Mexicans or foreigners. Mr. Forsyth, regarding this decree in the light of a "a forced loan," formally protested against its application to his countrymen, and advised them not to pay the contribution, but to suffer it to be forcibly exacted. Acting upon this advice, an American citizen refused to pay the contribution, and his property was seized by armed men to satisfy the amount. Not content with this, the government proceeded still further, and issued a decree banishing him from the country. Our minister immediately notified them that if this decree should be carried into execution he would feel it to be his duty to adopt "the most decided measures that belong to the powers and obligations of the representative office." Notwithstanding the warning, the banishment was enforced, and Mr. Forsyth promptly announced to the government the suspension of the political relations of his legation with them, until the pleasure of his own government should be ascertained.

This government did not regard the contribution imposed by the decree of the 15th May last to be in strictness a "forced loan," and as such prohibited by the 10th article of the treaty of 1826 between Great Britain and Mexico, to the benefits of which American citizens are entitled by treaty; yet the imposition of the contribution upon foreigners was considered an unjust and oppressive measure. Besides, internal factions in other parts of the republic were at the same time levying similar exactions upon the property of our citizens, and interrupting their commerce. There had been an entire failure on the part of our minister, to secure redress for the wrongs which our citizens had endured, notwithstanding his persevering efforts. And from the temper manifested by the Mexican government, he had repeatedly assured us that no favorable change could be expected, until the U. S. should give striking evidence of their will and power to protect their citizens, and that "severe chastening is the only earthly remedy for our grievances." From this statement of facts, it would have been worse than idle, to direct Mr. Forsyth to retrace his steps and resume diplomatic relations with that government; and it was, therefore, deemed proper to sanction his withdrawal of the legation from the city of Mexico.

Abundant cause now undoubtedly exists, for a resort to hostilities against the government still holding possession of the capital. Should they succeed in subduing the constitutional forces, all reasonable hope will then have expired of a peaceful settlement of our difficulties.

On the other hand, should the constitutional party prevail, and their authority be established over the republic, there is reason to hope that they will be animated by a less unfriendly spirit, and may grant that redress to American citizens which justice requires, so far as they may possess the means. But for this expectation, I should at once have recommended to Congress to grant the necessary power to the President, to take possession of a sufficient portion of the remote and unsettled territory of Mexico, to be held in pledge until our injuries shall be redressed and our just demands be satisfied. We have already exhausted every milder means of obtaining justice. In such a case, this remedy of reprisals is recognised by the law of nations, not only as just in itself, but as a means of preventing actual war.

But there is another view of our relations with Mexico, arising from the unhappy condition of affairs along our southwestern frontier, which demands immediate action. In that remote region, where there are but few white inhabitants, large bands of hostile and predatory Indians roam promiscuously over the Mexican States of Chihuahua and Sonora, and our adjoining Territories. The local governments of these States are perfectly helpless, and are kept in a state of constant alarm by the Indians. They have not the power, if they possessed the will, even to restrain lawless Mexicans from passing the border and committing depredations on our remote settlers. A state of anarchy and violence prevails throughout that distant frontier. The laws are a dead letter, and life and property are wholly insecure. For this reason the settlement of Arizona is arrested, whilst it is of great importance that a chain of inhabitants should extend all along its southern border, sufficient for their own protection and that of the U. S. mail passing to and from California. Well-founded apprehensions are now entertained, that the Indians, and wandering Mexicans equally lawless, may break up the important stage and postal communication recently established between our Atlantic and Pacific possessions. This passes very near to the Mexican boundary, throughout the whole length of Arizona. I can imagine no possible remedy for these evils, and no mode of restoring law and order on that remote and unsettled frontier, but for the government of the U. S. to assume a temporary protectorate over the northern portions of Chihuahua and Sonora, and to establish military posts within the same—and this I earnestly recommend to Congress. This protection may be withdrawn, as soon as local governments shall be established in these Mexican States, capable of performing their duties to the U. S., restraining the lawless and preserving peace along the border.

I do not doubt that this measure will be viewed in a friendly spirit by the governments and people of Chihuahua and Sonora, as it will prove equally effectual for the protection of their citizens on that remote and lawless frontier, as for citizens of the U. S.

And in this connexion, permit me to recall your attention to the condition of Arizona. The population of that Territory, numbering, as is alleged, more than ten thousand souls, are practically without a government, without laws, and without any regular administration of justice. Murder and other crimes are committed with impunity. This state of things calls loudly for redress; and I therefore, repeat my recommendation for the establishment of a territorial government over Arizona.

[The President here dwells at length on the Isthmus, Panama, and Tehuantepec routes to the Pacific, and the disputes relative to them, leading to interruptions of communication. He asks for authority to employ the army and navy to prevent these obstructions.]

With the empire of Brazil our relations are of the most friendly character. The productions of the two countries, and especially those of an agricultural nature, are such as to invite extensive mutual exchanges. A large quantity of American flour is consumed in Brazil; whilst more than treble the amount in value of Brazilian coffee is consumed in the U. S. Whilst this is the case, a heavy duty has been levied, until very recently, upon the importation of American flour into Brazil. I am gratified, however, to be able to inform you that in Sept. last this has been reduced from $1 00 to about 49 cts. per bbl., and the duties on other articles of our production have been diminished in nearly the same proportion.

I regret to state that the government of Brazil still continues to levy an export duty of about 11 per cent. on coffee, notwithstanding this article is admitted free from duty in the U. S. This is a heavy charge upon the consumers of coffee in our country, as we purchase half of the entire surplus crop of that article raised in Brazil. Our minister, under instructions, will reiterate his efforts to have this export duty removed; and

[For conclusion see 1st page.]